Too often, veterinarians decline opportunities to discuss animal rights. They sometimes state that they support animal welfare, but they often avoid engaging the subject of animal rights. As a result, important questions regarding the appropriate and inappropriate use of animals are addressed by individuals who are frequently poorly informed in these matters.

The public believes that veterinarians are experts on animal welfare and animal rights. A veterinarian’s formal education and experience qualify him or her to provide guidance in these areas. However, when the public seeks direction from veterinarians on matters of animal rights, the responses they receive are often vague or nonsubstantive. Some of the confusion that infects any discussion on animal welfare and animal rights results from a failure to focus on what does and does not impact the welfare of farm animals. Discussions on animal rights are often sidetracked onto issues such as vegetarianism, the urban consumer, farm size, organic agriculture, and other tangential subjects. Discussions should focus on the history of animal domestication with an emphasis on the use of the correct terminology to build well-constructed arguments. In this commentary, we distinguish between these areas germane to discussions on animal welfare and animal rights from those that are of an extraneous nature.

Animal Rights Extremists and Moderates

Veterinarians must appreciate the implications inherent in the use of the term animal rights extremist. When this expression is used, the existence of animal rights moderates is presumed. Most voters in Arizona who recently chose to ban sow stalls were not animal rights extremists. They were concerned citizens who listened to the pros and cons of housing sows in gestation stalls and voted accordingly. The livestock industry had many opportunities to influence these voters. They failed not from a lack of effort, but from an inability to present convincing arguments to defend the status quo. Most people in the world today are animal rights moderates. Their lack of understanding concerning modern livestock agricultural practices is not relevant. These consumers of animal products want reasonable assurances that the animals that are benefiting them are well cared for. They want and need the expertise of veterinarians in these matters. If veterinarians do not offer this expertise, other groups have and will continue to fill the void.

The Ancient Contract

Discussions on animal rights are more productive if they begin with the basic premise that the domestication of animals was a mutual undertaking between animals and humans. This unwritten agreement to work together for the benefit of both parties has been referred to as the ancient contract. It is likely that the first wild canids became domesticated because they followed nomadic hunting groups to feed on the spoils of the kill. These wild canids became assimilated into the hunting party over time. Prehistoric hunters likely used canids to assist in hunting, as sentinels in camps, as beasts of burden, as companions, and probably as food. This was a mutually beneficial relationship that improved the survival possibilities of both the canids and the humans. This unwritten agreement to work together for the benefit of both parties is one example of the ancient contract. Similar assimilations of wild animals into early agrarian societies likely occurred with sheep, goats, cattle, and swine. These animals benefited from maintaining a close relationship with people who cleared land and planted crops. The historical basis of our relationship with domestic animals must be understood if we are to engage effectively in discussions on animal rights.

Rights and Welfare

The ancient contract implies certain rights or responsibilities for both parties. Wild animals have few rights. They live and die by the vagaries of nature and the survival of the fittest. Domestic animals, on the other hand, have rights. These can be thought of as entitlements to certain compensations as a result of their domestication. The terms animal rights and animal welfare are often confused in peoples’ minds, contributing to a lack of clarity in many discussions. Our viewpoint is that domestic animals have specific rights or entitlements to certain standards of welfare. Some of these rights include adequate food, water, shelter, protection from predators, medical care, and a humane death. We in turn use these animals for specific purposes. Most members of the public fully accept this arrangement, provided that the contract is respected. If veterinarians deny that such a contract exists, they imply that animals have no rights and thereby alienate themselves from the public at large. Animal rights moderates accept this vital symbiotic relationship between humans and animals that extends back through 12,000 years of animal domestication. We have descended from an agrarian culture whose prosperity depended on a close working relationship with domestic animals. This relationship requires that we meet certain obligations on our side of the contract.
The rights described in such contracts will vary depending on the species and husbandry practices involved. An extensive cow-calf ranching operation would seldom be able to supply the same level of shelter, medical care, or protection from predators that would be supplied in a more intensive confinement operation. Compromises have to be reached between the advantages and disadvantages of intensive management and the advantages and disadvantages of a more natural, extensive management system. It appears that in the eyes of some consumers, the rights to adequate medical care and protection from predators may be traded for the right to live under conditions that suit the animals’ biological and psychologic needs and natures. Not all veterinarians or stock people would necessarily agree with this.

Rights and Responsibilities

The concept of rights as applied to animals makes some people uncomfortable. For those individuals, an alternative expression such as caretaker responsibilities can be used to replace the term animal rights. In practice, however, no difference exists between the terms. If someone leaves a dog tied up in the sun without food, water, or shade, that person can be charged with animal cruelty and their dog impounded. Did this person fail to respect the rights of the dog to food, water, and protection from the elements or did the person fail to fulfill their responsibilities to the dog? Whether one refers to them as animal rights or caretaker responsibilities, the perpetrator can be charged and the dog taken away. In practice, use of the terms rights or responsibilities makes no difference. To draw distinctions where none exists does not advance a point of view. Whether called rights or responsibilities, we are discussing food, water, shelter, medical care, freedom from unnecessary suffering, and respect for the animals’ biological and psychological natures that Rollin has called telos. Correct language is critical to any exchange of ideas, but insisting on irrelevant distinctions between terms creates unnecessary barriers to human discourse.

Science and Ethics

Science and ethics should not be confused. Scientists test hypotheses by measuring explanatory and outcome variables. Ethicists study the concepts of right and wrong. A scientific proof stands until subsequent experiments identify faults in the proof. An ethical principle stands as long as that concept of right and wrong is accepted.

Animal anticruelty laws in the United States and around the world did not result from scientific investigations. Although scientific findings can influence societal opinions on specific matters, concepts of right and wrong are not determined through experimentation. Whether deciding on the entitlement of a domestic animal to food and water or the entitlement of a citizen to freedom of speech, it is not the purview of scientists to decide whether these entitlements should or should not exist. We must stop expecting that someday an animal scientist will tell us whether a laying hen should be confined for her entire life to a piece of wire mesh as large as this journal page. Do not expect scientists or experiments to provide answers for ethical questions.

Legality and Ethics

What is legal and what is ethical should not be confused. Laws do not determine what is morally right and wrong. Laws indicate a society’s concepts of right and wrong at the time the laws were made. Laws change when people’s moral reasoning changes. For example, in some jurisdictions, practice acts once forbade the reporting of animal abuse by attending veterinarians. These laws were intended to protect client confidentiality. People soon realized that the good such laws did outweigh the harm they were protecting. As a result, in some jurisdictions, laws were changed so that it was no longer illegal to report such abuse. The decision on whether to report animal abuse was left to the discretion of the attending veterinarian. Further changes in moral reasoning have led some jurisdictions, such as Colorado, to mandate the reporting of animal abuse by veterinarians. Laws help promulgate and reflect our ethics, but they also fall behind current moral reasoning. In discussions on what is morally right or wrong in a particular case, laws are extraneous to the discussion. If the course of action most appropriate in a particular situation turns out to be illegal, then an ethical dilemma is created. In such cases, the laws should be amended to ensure that people are not penalized for choosing ethically superior courses of action. What is legal is not always what is right.

Farm Size and Animal Welfare

Discussions on animal rights should not be confounded by discussions on farm size. If all the pigs in North America were raised on one large farm, it would not automatically follow that the welfare of those pigs would be poor. And if we returned to an agrarian society where everyone kept one or two pigs, it would not follow that the welfare of swine would be improved. Farm size and animal welfare are distinct topics. Focus discussions on the rights of animals to appropriate welfare.

It is true, however, that as livestock farms increase in size, they tend to become more automated, leading to a higher ratio of animals per stock person. Regardless of size, all production systems encounter situations in which individual animals are suffering. Responding to problems of individual animals is time-consuming, often results in limited financial returns, and cannot be automated. Thus, as the number of animals cared for by any one stock person increases, the number of animals requiring individual attention may also increase. Therefore, it is imperative that large automated systems are designed so that the occurrence of problems in individual animals is reduced. New designs for automated, loose housing systems for gestating sows exemplify how problems in individual animals can be minimized. These systems operate at equal productivity and without additional labor or capital costs, when compared with gestation stalls. Clever system designs combined with adequate animal husbandry skills improve the welfare of domestic livestock without requiring additional capital or labor. Concerns have been raised that if livestock housing systems were made more welfare friendly, work forces on some farms may lack the hus-
bandy skills to provide adequate care. Retraining or hiring new personnel to ensure that animal husbandry skills are appropriate to manage more welfare-friendly systems may be necessary in certain operations. All modern and successful industries occasionally adjust to consumer demands. The livestock industry has made such adjustments in the past and will continue to do so in the future.

Modern livestock agriculture has been a major step forward in providing consistent, affordable, and safe products of animal origin to millions of consumers in an environmentally sustainable manner. However, to refuse to admit that confinement agriculture has problems is an indefensible position. To engage most consumers, we must abandon such rhetoric. We must stop defending veal crates, sow crates, and battery cages as acceptable housing systems by arguing that consumers do not understand modern production methods. Veterinarians must reaffirm their commitment to increasing productivity, decreasing morbidity and death, and improving the welfare of domestic livestock. The livestock industry has made great improvements in these areas. Functional alternatives to caged housing for veal calves and gestating sows now exist, but there is more that must be done. It is important to discover how to maintain productivity in laying hens while providing them the freedom to stretch their wings. This is not beyond our current capabilities. Although one cannot just open the pens or cages today without causing more harm than good to the well-being of some animals, it does not follow that animals do not have the right to freedom of movement. It simply means that presently they are not provided with this right. Veterinarians must say to the public, “We understand that these cages and crates restrict the animals’ natural behavior. We are working diligently to provide these animals the freedom of movement that is their right.” Veterinarians must say this. Veterinarians can do this.

**Anthropomorphism**

Just as drawing arbitrary distinctions between animal rights, animal welfare, and caretaker responsibilities is counterproductive, so too is the use of anthropomorphism as an excuse for avoiding discussions on animal rights. If a person observes that a sow looks bored in a gestation crate, some scientists will proclaim that the speaker is anthropomorphizing, implying that their observation demonstrates a lack of scientific objectivity. If anthropomorphism is attributing uniquely human traits to animals, how does one determine that a trait is uniquely human? Both negative and positive emotions provide evolutionary advantages. Such advantages apply to all animals, including humans. Emotions such as anger, fear, friendship, shyness, and boredom have been selected for through the ages in animals and humans. We cannot fully understand animals and provide them with optimal care if we deny this aspect of their existence. If a dog appears to be suffering from anxiety and is treated with a human antianxiety medication and improves, on what basis does one deny that that dog suffered from a distressed emotional state? Animals feel pain and have emotions. This is not anthropomorphism. It is Darwinian evolution. Animals evolved with us; we share much of the same DNA and physiologic traits. The same drugs are used to influence their mental and physical states as are used on us. Accusing laypeople of anthropomorphism is not an intellectually superior method for discounting their commonsense observations. As an observant veterinary student once said, “If I can’t say the bull is pissed off today, I won’t live real long.”

**Organic Farms and Humane Farms**

Organic farms are not synonymous with humane farms. Rules to retain the organic status of a farm or farm product may restrict certain practices that benefit the welfare of an animal. Denying or delaying the most appropriate medical treatment because that treatment would disqualify the animal or its products from the organic market is not humane. Organic farms can be humane if animals in need of medical attention are treated in the best manner possible and are removed from the organic stream if the treatment so disqualifies them.

**Animal Rights and Animal Use**

Some animal rights organizations attempt to equate any use of animals with the abusive treatment of those animals. They fail to grasp the mutually beneficial relationship between domestic animals and stock people that has existed for thousands of years. How an animal lives and dies may be abusive. Stock people and veterinarians share the immense responsibility to ensure that it is not.

**Farms Imitate Stable Ecosystems**

Farms imitate stable ecosystems. A stable wildlife population experiences a large population increase every spring and summer. Before these new additions become reproductively active, there is ideally an equally large number of deaths to maintain the ecosystem’s stability. The same pattern exists on a livestock farm. Births are followed by an equal number of deaths prior to the onset of sexual activity to ensure that the herd does not expand beyond the carrying capacity of the farm. The noteworthy difference between the two is that the wildlife population is reduced naturally with all the pain and suffering that is inherent in the natural selection process. In domestic livestock agriculture, the reduction process should be humane. The ancient contract requires that we minimize or eliminate suffering and death caused by starvation, predation, exposure, and treatable medical conditions.

**Animal Rights and Slippery Slope Arguments**

Opponents to animal rights sometimes resort to slippery slope rationalizing. Accepting that domestic animals have some rights does not mean that soon they will be allowed to vote. The slippery slope argument is nothing more than irrational fear mongering. It demonstrates a failure to grasp the key points of concern to animal rights moderates.
Conclusion

The animal rights debate comes down to this: what rights are due domestic animals as a result of our contract with them? For the first 12,000 years of the contract, the right to express most of an animal’s natural behaviors was not a point of contention. One hundred years ago (while we debated the right of US women to vote), domestic animals were able to express most of their natural behaviors. Rapid progress in livestock agriculture during the past 50 years improved our ability to meet many of our responsibilities under the terms of the contract. It also led to a substantial restriction in the ability of domestic animals to express many of the natural behaviors that are coded in their DNA. The debate on animal rights is a debate on whether new husbandry and housing practices are in full accord with the contract. Modern livestock practices decrease suffering and death attributed to starvation, predation, exposure, and disease. But they also severely restrict and, in some cases, eliminate natural behaviors. That is the rub. Is the right to express certain natural behaviors in the contract? If so, which behaviors are included? Whatever your opinion on this may be, engage the discussions. Remember that most animal rightists are moderates. They trust veterinarians. Stay focused on the concepts that truly affect animal welfare, and use the ancient contract as a starting point. The public is waiting for your leadership. A detailed account of rights for farm animals has been described.6

References