

I n t r o d u c t i o n

Catholic Moral Theology and the Moral Status of Non-Human Animals

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THIS ISSUE OF THE *JOURNAL OF MORAL THEOLOGY* features a collection of essays with an approach to a topic you've never read about in book or journal form. That is because there has never been a collection of academic essays entirely from the perspective of Catholic moral theology on this particular topic. And what is this topic? Morality and non-human animals. More specifically, it is about, for example, particular elephants, chimpanzees, dogs, dolphins, hyenas, pigs, cats and hominids, and also all these animals (and others) as members of a particular species not simply as objects for human moral concern, but rather, as moral subjects.² This collection features essays about these elephants, chimpanzees, dolphins, etc. as God's creatures worthy of being *subjects* (not merely objects) of moral concern. And it also features essays about higher non-human animals as potentially (or actually) moral agents whose intellectual and/or moral capacities are worthy of significant and sustained reflection and analysis.

It is fair to say that as recently as five years ago giving significant theological thought to non-human animals was widely dismissed if not

¹ We owe a special thanks to Charles Camosy who collaborated in the editorial process for this issue, but for reasons completely beyond his control was prevented from contributing to this introductory essay.

² While this is the first collection of academic essays entirely from the perspective of Catholic moral theology, we would be remiss not to note the two fine monographs by Catholic moral theologians, namely Deborah Jones, *The School of Compassion: A Roman Catholic Theology of Animals* (Leominster, UK: Gracewing, 2009), and Charles Camosy, *For love of animals: Christian ethics, consistent action* (Cincinnati: Franciscan, 2013). In addition, there have been a number of excellent ecumenical collections of ethical reflection on non-human animals, including Charles R. Pinches and Jay B. McDaniel ed., *Good News for Animals? Christian Approaches to Animal Well-Being* (Maryknoll: Orbis, 1993), Andrew Linzey and Dorothy Yamamoto ed., *Animals on the Agenda: Questions About Animals for Theology and Ethics* (London: SCM, 1998), Celia Deane-Drummond and David Clough ed., *Creaturely Theology: On God, Humans and Other Animals* (London: SCM, 2009), and Celia Deane-Drummond, Rebecca Artinian-Kaiser and David Clough, ed., *Animals as Religious Subjects* (London: Bloomsbury/T & T Clark, 2013).

ridiculed in the world of Catholic theology, systematic and moral theology included. Perhaps three anecdotes will illustrate the point. Only five years ago at the Catholic Theological Society of America, Elizabeth Farians, the first woman ever admitted as a member of the society (admitted with much resistance and controversy in 1965³) made a valiant effort to have the society devote a single yearly session in an ongoing manner to theological reflection on non-human animals. Although an interest group on non-human animals had been allowed to function for three years at the CTSA (2008-2010) and despite extensive lobbying by Dr. Farians, she was unable to generate enough interest and support to have a single concurrent session on non-animals approved beyond those three years.⁴

The second example is taken from the early academic career of John Berkman. While a pre-tenured moral theologian at The Catholic University of America in 1999, Berkman was actually ordered by his chair in the Department of Theology to cease writing on ethical issues related to non-human animals. The chair, a well-respected New Testament theologian and ethicist, ordered this because he (and presumably the department more generally) considered the very question to be unworthy of the time and effort of a moral theologian at The Catholic University of America.⁵

³ For a discussion of the controversy over Farians's admission as a member of the CTSA, see Anne Patrick and Elizabeth Johnson, "Appendix 2: CTSA Women's Seminar in Constructive Theology: A Thumbnail History in Three Acts" in the *Proceedings of the CTSA* (2006), 218-31, <http://ejournals.bc.edu/ojs/index.php/ctsaa/article/view/4845>. See especially "Annex A: The Farians Incident," 223-7. One wonders if it is merely coincidental that eminent Catholic scholar Elizabeth Johnson, who co-authored the piece recounting the Farians incident, has begun to take the lives of other animals seriously, as expressed in her new book, *Asks the Beasts: Darwin and the God of Love* (London: Bloomsbury, 2014).

⁴ In light of Celia Deane-Drummond's essay "Are Animals Moral? Taking Soundings through Vice, Virtue, Conscience and Imago Dei" (published in Deane-Drummond and Clough ed. *Creaturely Theology*. London: SCM, 2009), which shows analogous parallels between Thomas' treatment of the image and likeness of God in women and non-human animals, the irony of the CTSA's inability and/or unwillingness to accommodate the pleas of Dr. Farians is deep and palpable.

⁵ The order came in the aftermath of Berkman's essay "Prophetically Pro-Life: John Paul II's Gospel of Life and Evangelical Concern for Animals," versions of which were published in the *Josephinum Journal of Theology* and in Linzey and Yamamoto ed. *Animals on the Agenda*. Berkman dutifully complied with the order for a number of years, but eventually decided he could not reject an opportunity to contribute "The Consumption of Animals and the Catholic Tradition," which was the "Catholic" essay in Stephen Sapontzis, ed. *Food for Thought: The Debate over Eating Meat* (New York: Prometheus Press, 2004). *Food for Thought* included 30 essays by the major "luminaries" in ethical thinking about animals, including Carol Adams, Stephen R. L. Clark, Lori Gruen, Marti Kheel, Andrew Linzey, Evelyn Pluhar, Val Plumwood, Tom Regan, Steve Sapontzis, Roger Scruton, and Peter Singer. The year "Consumption" was published, Berkman's department at CUA would turn him down for promotion and tenure, despite a publication record commensurate with promotion and tenure.

A third example comes from the academic experience of Celia Deane-Drummond, who in March 2007 presented “Animal Ethics: Where Do We Go From Here?” at a large Catholic moral theology conference. In this paper Deane-Drummond argued that Kevin Kelly’s ethical methodology with regard to thinking about human embryos was relevant for consideration of non-human animals and further, that both issues deserved significant moral attention, not least because of the strikingly heated political debates surrounding both issues. However, Deane-Drummond was surprised and shocked by the comments of several of the most senior Catholic moral theologians at her presentation, who treated a serious discussion of animals as a topic of abject mirth. Rather than something to be taken seriously, animals were not part of the agenda for serious moral theologians.⁶

We could provide many more examples, but we take it that the almost complete marginalization of consideration of non-human animals in Catholic theology generally and Catholic moral theology more specifically up until very recently will be apparent to those who have worked in these fields.

But something remarkable has happened in just the past few years. No longer excluding animals from view, there is a veritable flowering of interest in non-human animals among Catholic moral theologians. Instead of accepting and reinforcing the binary between humans and animals, Catholic moral theologians now acknowledge there are “other animals” with which we share animality as common creaturely kinds, even if we note that humans are specific kinds of animals.⁷ Perhaps it is that, as in other topics, moral theologians are slowly following the lead of moral philosophers, who have been writing extensively on this topic for the last forty years. But on the other hand, on related topics such as environmental ethics, Roman Catholic discussions proved to be far more open, so that elements of environmental concern

The Provost of The Catholic University of America would later take the highly unusual step of overturning both of the Department of Theology’s decisions, promoting Berkman to Associate Professor and nullifying the department’s judgment regarding Berkman’s tenure.

⁶ The conference was entitled, *For the Love of the Church: Essays in Celebration and Honour of Kevin Kelly*, and held at Liverpool Hope University. Fortunately, the editors of the book commemorating the conference did not share the view of these senior moral theologians, and published Deane-Drummond’s paper as “Animal ethics: Where do we go from here?” in *Moral Theology for the Twenty-First Century: Essays in Celebration of Kevin Kelly*, ed. Bernard Hoose, Julie Clague and Gerard Mannion (London: Continuum, 2008), 155-63. The irony of all this is that whereas Kelly’s own ethical mantra advocates “graceful disagreement” where there are opposing moral views, Deane-Drummond’s argues for limits to such boundaries, where some ethical views and practices are excluded as quite simply morally reprehensible.

⁷ For example, following Alasdair MacIntyre, moral theologian Joseph Capizzi argues this viewpoint in “Consciousness in Human and Nonhuman Animals,” *National Catholic Bioethics Quarterly* (Spring 2008), 33-42.

started to show up even in official Catholic social teaching at more or less the same time as environmental ethics was established as a field of study in the late 1960s and 1970s.⁸ There is something, then, about the specific concern for non-human animals that seems to have been resisted among Catholic moral theologians. It seems that posing questions about the status of animals has been more threatening compared with environmental concerns. One possible suggestion as to why this might be the case is that, on the one hand, environmental concern, when viewed in a global context, shows the necessary relation between the flourishing of human beings and that of ecological contexts. Other-animal concern, on the other hand, seems to take away from concern for humans as it focuses on the individual lives of animals, rather than much more generalized ecological contexts for human flourishing.⁹ Both ecological ethics and animal ethics challenge lifestyles in particular ways, but animal ethics arguably presses for more immediate and radical change, even among city dwellers.

Perhaps there are positive influences as well, so a shift in concern might be related to the influence of important literary works like J.M. Coetzee's *The Lives of Animals* (Princeton: Princeton University Press, 1999) and Jonathan Safran Foer's *Eating Animals* (New York: Little, Brown, and Company, 2009), or to the integration of ethical vegetarianism and veganism into mainstream restaurant and food culture. Perhaps it is the explosion of theatre releases and documentary films on the plight of domestic animals in Western culture. Or perhaps the issue is starting to be viewed more simply as an important element in the development of a more general ecological consciousness that has sprung up in moral theology since the beginning of the 21st century. Or perhaps moral theologians are starting to listen to their students, who have been declaring that animals are a moral issue in their classrooms in increasingly large numbers. Most likely it is some combination of all of these factors.

Since the past generation of Catholic moralists and theologians as a whole has ignored moral questions regarding non-human animals, Catholic ethicists interested in these questions have for the most part had to turn to Protestant theologians and philosophers for inspiration and direction. While many theologians and philosophers are worthy of discussion, this introduction will mention only three whose work either has set or should set a significant part of the agenda for future moral and theological reflection on non-human animals.

⁸ For further discussion of this topic, see C. Deane-Drummond, "Joining in the Dance: Ecology in Roman Catholic Social Teaching," *New Blackfriars*, Vol. 93, no. 1044 (2012), 193-212.

⁹ A widely publicized strain of the "animal rights" movement argued in such a way that less concern should be shown to human beings qua human beings. For more on this argument see John Berkman's "From Theological Speciesism to a Theological Ethology: Where Catholic Moral Theology Needs to Go" in this issue.

In the last forty years, the theologian most associated with engaging issues around non-human animals is Andrew Linzey, who virtually single handedly pioneered research in this field, beginning with the publication of his book *Animal Rights: A Christian Perspective* (London: SCM Press, 1976). Linzey has been a veritable John the Baptist, seeming to many to be a lone voice crying in the wilderness, with an explicit mission to wake a sleeping theological establishment, one largely immune to his arguments, as well as his pleadings and cajoling. Through books like *Animal Rites: Liturgies of Animal Care* (London: SCM Press, 1999), *Creatures of the Same God* (New York: Lantern, 2009), and edited collections *Animals and Christianity: A Book of Readings* ed. with Tom Regan (London: SCM Press, 1989) and *After Noah: Animals and the Liberation of Theology* ed. with Dan Cohn Sherbock (London: Mowbray, 1997), Linzey has become something of a household name among those who are interested in animal ethics from a Christian perspective. Among his more academic works *Animal Theology* (London: SCM Press, 1987)¹⁰ and *Why Animal Suffering Matters: Philosophy, Theology and Practical Ethics* (New York: Oxford University Press, 2009) will be of particular interest to Catholic moral theologians. Linzey's project has not been restricted to his own academic work, as he has indefatigably encouraged scholars from all over the world to take an interest in animal ethics, most recently through the Oxford Centre for Animal Ethics. His writing has, of course, attracted great controversy, much of which we believe is undeserved and reflects a prejudicial attitude against the topic.

As for philosophers, while the utilitarian Peter Singer and deontologist Tom Regan have been highly influential in secular debates about non-human animals, their approaches have garnered surprisingly little sympathy even among those few Catholic ethicists who have taken up the subject of non-human animals.¹¹ A more significant interlocutor for many Catholic moral theologians—though typically on topics only marginally related to non-human animals in themselves—has been Mary Midgley, whose work has taken human (and non-human animal) bodily life very seriously in numerous works, including *Beast and Man: The Roots of Human Nature* (Ithaca: Cornell University Press,

¹⁰ Linzey's *Animal Theology* was (unsurprisingly) both widely praised and criticized. Among his many critics, those from environmentalists perhaps were most unfortunate. Linzey's criticism of many forms of ecological concern because its "systems" perspective detracted from proper due attention to individual animals likely contributed to (the perhaps inevitable) parting of the ways of otherwise natural allies (i.e., animal ethicists and environmental ethicists) in the struggle against a purely anthropocentric ethics.

¹¹ The work of Charles Camosy is a major exception to this, having engaged Singer's work more extensively than any other Catholic moral theologian, and whose own work in moral theology and non-human animals shows the significant (though selective) influence of Singer.

1978), *Animals and Why they Matter* (Harmondsworth: Penguin, 1983), and especially her collection of essays, *The Essential Mary Midgley* (London: Routledge, 2005).

But the two most important philosophers over the last forty years in terms of the importance of their work on non-human animals for those doing Catholic moral theology have been Aristotelians and Christian philosophers. One is well-known to all Catholic moral theologians, and that is of course Alasdair MacIntyre. His *Dependent Rational Animals* (London: Duckworth, 1999) very suddenly and authoritatively gave questions about animal cognition and social life legitimacy in the circles of Catholic moral theology. Ironically, MacIntyre has published very little (so far) on non-human animals. A further irony is that MacIntyre's *Dependent Rational Animals* apparently has no interest in promoting moral concern for non-human animals: His chapters devoted to dolphin rationality and social life are merely a means to speak with insight and authority on the significance of bodily life for human beings. Nevertheless, the chapters in *Dependent Rational Animals* on dolphin life in general (and pre-linguistic cognition in dolphins and other higher animals) has without a doubt been highly significant in terms of putting non-human animals on the agenda for moral theologians.

The other Christian philosopher, whose academic work arguably surpasses that of Linzey is Stephen R. L. Clark. He is known for the range and depth of his work on an astonishingly large range of questions related to the moral significance of non-human animals. While Clark has also made very significant contributions to moral and political philosophy, philosophy of religion and environmental philosophy, he has written truly brilliantly as a philosopher and Christian about non-human animals. Whether it was his early books *The Moral Status of Animals* (Oxford: Oxford University Press, 1977/1984) and *The Nature of the Beast* (Oxford: Oxford University Press, 1982), or later books like *How to Think about the Earth* (London: Mowbray, 1993), *Biology and Christian Ethics* (Cambridge: Cambridge University Press, 2000), *The Political Animal: Biology, Ethics, and Politics* (London: Routledge, 1999), and especially *Animals and their Moral Standing* (London: Routledge, 1997), Clark has been the towering intellectual giant among philosophers who have been interested in non-human animals in relation to a Christian world-view. Of course, as a philosopher who has been unabashed both regarding his Christian convictions and his concern for non-human animals, one would expect him to have been marginalized in the philosophical world.¹² But for those of us

¹² Clark's work has not been entirely marginalized. His work was the inspiration and jumping-off point for the Wittgensteinian moral philosopher Cora Diamond's "Anything but Argument" in Cora Diamond, *The Realistic Spirit* (Cambridge: MIT Press, 1995). "Anything but Argument" is Diamond's 1982 essay in reply to Onona

who recognize the importance of these questions for Christianity, Stephen Clark's work is an incredibly rich resource for the upcoming generation of Catholic moral theologians who choose to devote their intellectual energies to thinking theologically about non-human animals. And both of us as editors acknowledge the key influence of Clark's work in shifting our attention to a serious study of animal ethics.

With that most brief and limited introduction to seminal figures and writings for Catholic moral theologians who wish to think theologically and ethically about non-human animals, we now turn to the contributions of the six moral theologians in this issue.

John Berkman's "From Theological Speciesism to a Theological Ethology: Where Catholic Moral Theology Needs to Go," begins with a reading of why recent Catholic moral thought has been uninterested in questions about the moral significance of non-human animals. After presenting a typology of the kinds of reasons Catholic moralists have provided for ignoring non-human animals, it goes on to argue that while the *Catechism of the Catholic Church's* brief section on the moral treatment of non-human animals is at best morally ambiguous on this topic, it provides one with enough promising elements to serve as a starting point for a renewed and developed tradition of thought within Catholicism on non-human animals. The final section of the article proposes the creation and development of a new branch of moral and systematic theology, namely a theological ethology where moral and theological reflection about the good of an individual species is brought to bear on the best of contemporary ethological studies on the affective, cognitive, moral, and perhaps even spiritual capacities of specific higher non-human animals, with the goal of moral reflection of the kinds of moral concern and/or protection due to these species in light of that reflection.

Julie Rubio's "Animals, Evil, and Family Meals" begins with a recognition of the moral significance of domestic animals who are treated cruelly in modern factory farming. While acknowledging factory farming as an evil, Rubio argues that eating or serving factory-farmed meat should be considered a potentially licit form of material cooperation with evil. Noting that the moral manuals of the nineteenth and twentieth centuries often excused material cooperation when necessary to one's vocation of providing for a family, Rubio contends that serving and cooking food is an important part of a parental vocation that can conflict with the duty to avoid factory-farmed meat. She argues that, in at least some cases, eating or serving factory-farmed meat

O'Neill's criticism of Clark's 1977 *The Moral Status of Animals*. Along with her other essays such as "Eating Meat and Eating People" (1978), "Experimenting on Animals: A Problem in Ethics" (1981), and "Injustice and Animals" (1991), Diamond's "Anything but Argument" has in turn inspired many other philosophers including Stanley Cavell, Ian Hacking, and John McDowell to engage in serious moral reflection about our treatment of non-human animals.

may be an acceptable form of material cooperation with evil. However, she contends that a commitment to grow in virtue requires increasing cooperation with good by eating and serving less meat, buying more ethically-sourced meat, and working to change social structures that make avoiding factory-farmed meat difficult.

Charles Camosy and Susan Kopp's, "The Use of Non-Human Animals in Biomedical Research: Can Moral Theology Fill the Gap?" begins with a sweeping introduction to laboratory animal use in biomedical research (BMR), including historical perspectives, regulation of BMR, and use of chimpanzees. From there, the authors present the emerging secular and moral issues around new biotechnological procedures as they are impacting animals today, including genetic manipulation for the creation of new laboratory animal strains and advanced surgical interventions in the course of experimentation. They argue that these uses of animals present new and urgent moral questions requiring theological and metaphysical concepts that secular discourse avoids. Every use or alteration of an animal in this context must respect the moral claim that the nature of that animal makes upon our behavior and on our moral duty, without reducing him or her to a mere tool or commodity. The authors propose that a moral obligation to allow animals to flourish precisely as the beings that they are can help articulate a framework for ongoing moral analysis of these technologies as they impact nonhuman animals. The article concludes with a number of suggestions for future moral reflection in this regard.

Celia Deane-Drummond's "Evolutionary Perspectives on Inter-Morality and Inter-Species Relationships Interrogated in the Light of the Rise and Fall of *Homo sapiens sapiens*" probes the classic split between human and other animals, asking less about whether humans are unique compared with other animals and more about the particular role other animals have played in evolutionary accounts of human emergence and morality. Countering the presumption that evolutionary accounts are inevitably hostile to affirming human dignity, she argues for a suitably critical engagement with evolutionary theories. Drawing on evolutionary theories of human cooperation and niche construction, she demonstrates the importance of other animal lives in the shaping of human becoming in early hominid societies, and uses case studies of hyenas and elephants to show the interweaving of human and other animal kinds through human history. More radical is her suggestion that human morality is, on this basis, an inter-morality, one that engages forms of morality found in other social animals. This presses a case further than simply attributing a form of morality to other animals and so is more sophisticated than a naïve suggestion of a linear evolutionary relationship between forms of morality in humans and those in other social animals. While she recognizes the distinctive marks of human morality, she believes it was shaped by relationships with other animals.

Jean Porter, in her “Moral Passions: A Thomistic Interpretation of Moral Emotions in Nonhuman and Human Animals,” argues in favor of morality as distinctively rational, and therefore a distinctively human phenomenon. By rationality she means capacities for abstraction and self-conscious use of general concepts and inferential principles. At first sight her position might seem to reinforce the gulf between human beings and other animals that has persisted in the theological and philosophical literature. But recognizing the distinctive marks of human mental capacity is still consistent with contemporary science. Porter takes what could be termed a mediating position. On the one hand, critical of oversimplified narratives of continuity that seem to place human beings on an essential continuum with other social animals, Porter, on the other hand, also agrees with primatologist Frans de Waal that moral emotions such as sympathy and indignation are central for a human morality. Through a detailed engagement with the work of Thomas Aquinas, she argues convincingly that a Thomistic approach offers an illuminating framework for making sense of what we know about moral emotions in both humans and other kinds of animals. On this account, the passions do indeed play a central and necessary role in shaping human perceptions, volitions, and choices. At the same time she considers that such passions an inadequate basis for human morality, but nonetheless, necessary for human moral life.

James Helmer's “Speaking Theologically of Animal Rights” is an original and notable effort to explore the extent to which the language of “animal rights” can be seen as compatible with, or indeed, even logically flowing out of the understanding of human rights embodied in modern Catholic social teaching. Helmer begins by analyzing the Pontifical Council for Justice and Peace's *Compendium of the Social Doctrine of the Church* (2006)¹³ and the International Theological Commission's “Communion and Stewardship: Human Persons Created in the Image of God” (2004) as points of engagement with the Catholic social tradition's understanding of moral rights, and then he puts that understanding into conversation with recent philosophical work on rights which emphasizes the “relational” character of rights. Helmer then proceeds to argue in favor of the analogous extension of moral rights to members of some non-human animal species, in virtue of their status both as moral patients (i.e., as objects of moral concern) and as moral subjects. Helmer concludes that this theological conception of the rights of non-human animals is fully consonant with the spirit of the tradition of Catholic social teaching, and can serve as an effective heuristic device for reflecting further on our various responsibilities and obligations to non-human animals.

¹³ The document can be found at: www.vatican.va/roman_curia/pontifical_councils/justpeace/documents/rc_pc_justpeace_doc_20060526_compendio-dott-soc_en.html.

In conclusion, the editors of this collection (i.e., John Berkman, Charles Camosy, and Celia Deane-Drummond) are very pleased to be editing this groundbreaking work. However, we hope that, in a way similar to the groundbreaking volumes on animals rights by philosophers and Protestant theologians, this volume will be built-on and surpassed in the very near future. As such, we invite our fellow Catholic moral theologians to both criticize and build on the work of this volume. We are convinced that a moral consideration of non-human animals is an issue of great importance, and having our work in this issue made obsolete or commented on for further critical development would be deeply satisfying. **M**