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COMMENTARY

A Vindication of the Rights of Brutes

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The first defense of animal rights came in the form of a joke on human rights. As a reaction against the new ethics of the Enlightenment, a conservative aristocrat ridiculed rights for men and women by arguing that these would eventually lead to the laughable and absurd idea of giving rights to brutes, and perhaps even plants and things. The idea of human rights should thus be abandoned. After two hundred years it is worth revisiting this old argument to address the question of whether granting moral status to animals, plants, and even landscapes eventually makes hard-won human rights into a joke.

In 1790, Mary Wollstonecraft (1759–97) published *Vindication of the Rights of Men* in response to Edmund Burke's conservative view of the French revolution. She argued that every man has an equal right to education because of his equal intrinsic capability to reason. Soon Thomas Paine (1737–1809) followed suit with a similar line of argument in his *Rights of Man* (1791). A year later Wollstonecraft enlarged her argument to also include women in her *Vindication of the Rights of Woman* (1792).¹ These celebrated books stand today as examples of Enlightenment philosophies that also embody key values of today's world. In their own time, they created much debate and were ill received by the conservative establishment.

One particularly critical response, which will be the focus of the following pages, came in the pamphlet *Vindication of the Rights of Brutes*, published anonymously in 1792.² This little booklet, largely ignored by historians of animal rights,³ suggested that animals were entitled to rights because of their intrinsic capabilities to reason, speak, and have emotions. Animals were entitled to rights because of these inherent characteristics and not because of human obligations or sympathies towards them. The booklet thus represents one of the first biocentric arguments in favor of animal rights.

These arguments countered those of the Enlightenment thinkers concerned about the moral status of animals, plants, and things. The most important one was Immanuel Kant (1724–1804), who argued that even though only humans had rights, they ought not to treat animals badly, or destroy plants and other beautiful things. Such acts of the *spiritus destructionis* could corrupt the human sense of morality:

A propensity to wanton destruction of what is *beautiful* in inanimate nature

(*spiritus destructionis*) is opposed to man's duty to himself; for it weakens or uproots that feeling in man which, though not of itself moral, is still a disposition of sensibility that greatly promotes morality or at least prepares the way for it: the disposition, namely, to love something (e.g. beautiful crystal formations, the indescribable beauty of plants) even apart from any intention to use it.⁴

Kant would in his lectures talk about "duties to animals and spirits" along a similar line of argument. His point was that humans had a duty toward themselves not to harm animals because such acts would be harmful to human sensibility. In Britain, this reasoning came to dominate early protests against vivisection of dogs in scientific experiments.⁵ The horse breeder John Lawrence, for example, published a treatise in 1796 in which he argued that animals should have rights to secure human sensibility.⁶ One of those who also took the Kantian argument seriously was Herman Daggett, a priest at Providence College in the United States. In 1792 he published a lecture entitled *The Rights of Animals* where he argued that human duties towards animals were ultimately a question of caring for your own sense of morality.⁷

The views in *Vindication of the Rights of Brutes* contrasted with the Enlightenment defenders of animal protection. The pamphlet was written by Thomas Taylor (1758–1835), who wrote under a pseudonym to distinguish its content from his scholarly work. He was born in London of a noble family who over the years had lost much of their power and fortune due to the rise of the new industrialist class. Taylor came to view with skepticism the idea that all citizens were entitled to equal rights, because he saw such thinking as a threat to the aristocracy. Educated at the St. Paul's school for gifted children, he graduated at the age of fifteen with fluent knowledge of Greek and Latin, and familiarity with Greek culture. After graduation, he spent his youth studying speculative philosophy, theology, and the Greek heritage. He was soon known as "the Platonist" who over the years wrote or translated nearly a hundred books about classical philosophy and culture.⁸ Among his numerous publications are the first translation of Plato's collected works into English, as well as textbook exercises in Greek for children. For this work, he enjoyed a reputation as one of the leading intellectuals of his time. His academic bravura was also associated with a good sense of humor. For example, he rejected a professorship at Oxford because he thought the University to be too dull. Though he was a frequent visitor at the New College where he enjoyed free access to the Bodleian Library, he much preferred to live in the more lively streets of London where he nurtured a circle of academic friends. Among them was Wollstonecraft, whose children lived in Taylor's home for a short period. Besides books and guests, his home also included numerous pets that he cared for.

His *Vindication of the Rights of Brutes* was construed as a joke on Wollstonecraft's defense of rights for men and women. Taylor took her argument into absurdity by the following strategy: If one accepts A, one has to accept B, which unfortunately leads to the absurd conclusion C, which proves that the initial thesis about A must be wrong. In other words, if one accepts that all men have equal rights, one also has to accept that all women have rights, which unfortunately leads to the conclusion that all brutes have rights, which proves that the initial argument about the rights of men must be wrong. He turned this reasoning into a satire by using obviously outdated but nevertheless entertaining evidence from his arsenal of classical sources. Making the argument in favor of human rights laughable was his rhetorical strategy for making them less dangerous to his aristocratic privileges. His line of argumentation and sense of humor was clearly

inspired by Blaise Pascal's famous *Provincial Letters* (1660), which claimed that extensional ethics based on a case by case argumentation eventually would lead to an unbound corrupt morality.

Taylor's point of departure was Wollstonecraft's thesis about the rights of men. "[I]n such an enlightened age as the present," he argued, "*God has made all Things equal ... with respect to their intrinsic and real dignity and worth.*"⁹ Only human ignorance, he continued, can explain why people have not noticed "*That Brutes possess Reason in common with Men.*"¹⁰ As evidence he pointed to several classical natural histories and to the philosophies of Plato, Aristotle, Empedocles, Democritus, and Porphyry, among others, who all argued that animals could reason, only with a gradual difference to humans. It follows, he argued, "*That in consequence of Brutes possessing Reason, we ought to abstain from Animal Food;—and that this was the Practice of the most ancient Greeks.*"¹¹ This defense of vegetarianism was evidentially held in the writings of Porphyry, Pythagoras, and Hesiod, and "*was likewise the Practice of the Egyptian Priests,*"¹² who in religious sermons restrained from animal food and mimicked gods with brutes. "*The same Abstinence [from animal food can be] exemplified in the History of the Persians and Indians,*" he also claimed.¹³ From all this evidence it followed that one was underestimating "*the Importance of understanding the Language of Brutes, and restoring them to their natural equality with mankind.*"¹⁴ Moreover, Taylor continued, Plutarch proved that elephants could talk, fall in love, observe human decency, and heed a very courtly kind of conversation. With scientific decoding of animal language, he predicted, animals would soon take an active part in society. A medically skilled "elephant may become the king's principal surgeon," for example.¹⁵ All of this confirmed Plutarch's thesis which showed "*That Magpies are naturally Musicians Oxen Arithmeticians; and Dogs Actors.*"¹⁶ What remains to be proven, he concluded, was that also vegetables and minerals should be included in "this sublime theory" of the equality of all things.¹⁷

In this fashion, Taylor used his knowledge of emblematic natural history to show that animals deserved the same rights as humans.¹⁸ The argument took the idea of exclusive human rights down the slippery slope of the great chain of being from humans (men and women), to animals (elephants, apes, dragons), arriving at the possible rights of vegetables and minerals. The booklet contains page after page of entertaining quotes from ancient sources about elephants conversing with one another and wild dragons having the right to marry and settle in society. It also includes numerous comparisons of women to brutes. Writing under a pseudonym allowed him to play rather freely with the sources. This creative use of evidence permitted laughter, apparently on the idea of granting animal rights, though the target of his joke was Paine and Wollstonecraft's defense of human rights. This sarcasm was spelled out in the first page of the book. "After the wonderful productions of Mr. Paine and Mrs. Wollstonecraft, such a theory as the present, seems to be necessary, in order to give perfection to our researches into the rights of things."¹⁹ Taylor's rhetorical strategy allowed him to attack the idea of human rights, while at the same time retreat by making it clear that he was only joking.

Today the idea of animal rights or liberation is not a joke anymore, and few will find Taylor amusing. His humor was that of an old-fashioned aristocrat failing to see that the world was changing. This at least has been the opinion of Peter Singer and Tom Regan, both who have argued that Taylor's joke was anything but funny. Indeed Singer began his famous *Animal Liberation* (1975) by challenging Taylor's implicit claim that granting rights to brutes was "manifestly absurd."²⁰ Instead of Taylor's satirical use of dated evidence, Singer and Regan used serious zoological research into the cognitive and emotional life of animals to make the claim that animals did indeed deserve rights.

Regan's deontological and Singer's utilitarian defense of animals have, in effect, been re-rehearsals of Taylor's philosophical reduction, though without his sense of humor.

From a historical perspective Taylor's *reductio ad absurdum* of human rights is not absurd, at least if one is to believe Roderick Nash's history of *The Rights of Nature* (1989). Nash argues that the evolution of rights of tyrants, Kings, aristocrats, men, women, and blacks is a process which will continue with rights for animals, species, and perhaps whole landscapes. To many activists of the 1970s this gradual historical evolution of rights was a matter of personal experience emerging from their involvement in the Civil Rights and feminist movements. This modern and progressive view of history as a linear development of moral standings from humans, to animals, birds, fish, insects, plants, and ecological communities has prevailed in much environmental philosophy. As a result, arguments in favor of exclusive human rights have been portrayed, at least in the writings of Nash, as backward looking.²¹ Progressive environmental ethicists have consequently been struggling with the problem of trying to draw boundaries of inclusion and exclusion in the fortunate group of beings in the moral community.

One solution, once proposed by the South African statesman and philosopher Jan Christian Smuts (1870–1950), was to take a “holistic” perspective which grants everything moral standing according to its status in the hierarchy of beings in the natural world. Following this line of argument Smuts wrote the first draft for the United Nation Charter of 1945 about human rights, only to be dismissed by human rights activists, such as W. E. B. DuBois, who argued that his “holism” was a defense of the apartheid regime.²² To create a gradualist hierarchy of rights among people and species would inevitably lead to a hierarchy of power and dominance, they argued, in a pointed critique of how Smuts' communitarian eco-philosophy legitimized racial segregation.

The role of scientific evidence supporting individualistic as well as holistic environmental ethics has often been as controversial as the philosophical argumentation. The satirical use of evidence in Taylor's pamphlet was as much a play on science as it was on human rights. All the classic sources he referred to were authorities of knowledge of their time, and his use of them thus came to illustrate the temporality of science and therefore its unsuitability as a ground for philosophical reflection. Smuts' theory about holism in South Africa, for example, illustrates that science can be an unfaithful partner for environmental ethicists. Smuts built his argument on the work of some of the best ecologists of his time. Yet as science changed, his holism-inspired racism became outdated. The struggle to deal with the temporality of science also came to the forefront in an article from 1989 defending rights of whales. By the time the article appeared in print, it turned out that the zoological evidence for the claim that whales could make conversation, reason, predict the future, talk about history, and enjoy a rich emotional life were dated or proven incorrect.²³ Scientific evidence is often one step ahead of environmental philosophy. New discoveries or theories in biology may thus cause a change or modification in ethical theories built upon its foundation.

The aim of Taylor's satirical defense of animal rights on biocentric grounds was to undermine the emerging notion of human rights and thus secure his own aristocratic privileges. The aim of current biocentric environmental ethics is also to undermine the anthropocentrism of the Enlightenment, which raises the question of whose human interest this ethic will serve. In the aristocratic world of Taylor, it was up to the King, Prince or Duke to determine the hierarchy of rights in society. In the world imagined by animal rights groups and environmental ethicists, rights will ultimately be determined by expert zoologists and ecologists with intimate knowledge of species and landscapes.

Scientists will be the ones settling rights and privileges within the biotic community. In the case of Deep Ecology, for example, the ecologists will in effect be nature's aristocrats laying out the rules of the game.²⁴

Taylor's old pamphlet also provokes the question of whether or not animal rights, and by extension, rights of the rest of the natural world, may turn human rights into a joke. It is not clear how one is supposed to defend hard-won human rights in a world where moral status is a privilege of every species. If everything is entitled to rights then no one will end up respecting them, since breaking these rights would be inevitable in order to survive. A vindication of the rights of brutes risks vindicating human brutes. A world without boundaries would allow any type of action, since there would be no demarcation between right and wrong. A return to anthropocentrism, on the other hand, does not imply an endorsement of cruelty to animals or environmental destruction. As indicated above, to damage anything beautiful would undermine the human moral sensibility Kant thought was of paramount importance. The defense of human rights implied a moral duty to not harm nature because that would undermine human dignity.

Notes

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9. Taylor, *Vindication of the Rights of Brutes*, 9–10. Taylor's emphasis.
10. Taylor, *Vindication of the Rights of Brutes*, 18. Taylor's emphasis.
11. Taylor, *Vindication of the Rights of Brutes*, 34. Taylor's emphasis.
12. Taylor, *Vindication of the Rights of Brutes*, 43. Taylor's emphasis.
13. Taylor, *Vindication of the Rights of Brutes*, 59. Taylor's emphasis.
14. Taylor, *Vindication of the Rights of Brutes*, 75. Taylor's emphasis.
15. Taylor, *Vindication of the Rights of Brutes*, 90.
16. Taylor, *Vindication of the Rights of Brutes*, 91. Taylor's emphasis.
17. Taylor, *Vindication of the Rights of Brutes*, 103.
18. William Ashworth, "Natural History and the Emblematic World View," in *Reappraisal of the Scientific*

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19. Taylor, *Vindication of the Rights of Brutes*, iii–iv. Janet Todd, *Mary Wollstonecraft* (New York: Columbia University Press, 2000), 185.
 20. Peter Singer, *Animal Liberation* (New York: Random House, 1975), 1. Also, Tom Regan, *Animal Rights* (New York: Rowman & Littlefield, 2003), 7.
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Notes on Contributor

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