

## Kant, anthropocentrism, and animal welfare

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**Abstract.** This paper will argue six reasons why Kant is an anthropocentric, but not an anthropo-supremacist. It will lay out Kant's case against animal egalitarianism, and how Kant's moral theory nevertheless provides sufficient obligations not to be cruel to other animal species and to care about their welfare, at least in the case of a domesticated animal, the dairy cow. A dairy farmer who is also motivated by Kantian virtue will have enough moral incentive to care about their dairy cows even though Kant's duties to other animal species are indirect and not direct. The paper will then conclude by arguing that current Kantian attempts to rescue Kant from the reproach of anthropocentrism either result in some form of anthropo-supremacy or in an attempt to bring other ethical theories like Utilitarianism and Aristotle into the account to justify animal egalitarianism. These philosophical attempts to support animal egalitarianism do not succeed in overcoming anthropocentrism or anthropo-supremacy, but rather may be contributing to misanthropy.

**Keywords:** Kant, animal welfare, animal ethics, anthropocentrism, anthropo-supremacy.

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Animal egalitarians hold it against Kant that his moral theory is anthropocentric. This paper will not deny this, but rather affirm it. Kant is right to have an anthropocentric moral theory for six good rational reasons, and that human ethical duties follow from that position. He is not, however, an anthropocentric supremacist or callous toward other animal species<sup>2</sup>. Second, this paper will argue why it does not follow from his anthropocentrism that Kant has no basis in his moral theory for protecting animal welfare. This paper is exploring whether Kant's indirect duties to animals can effectively constrain human beings from animal cruelty and can promote animal welfare, but to do that a species of animal must be identified. This paper will reflect on a domesticated farm animal, namely, the dairy cow, and illustrate how Kant's two moral duties: 1) the duty to one's own moral perfection, and 2) the duty to promote the happiness of other human beings both can ensure that dairy cows are not treated cruelly by dairy farmers and that the dairy cow's welfare can be promoted. The paper will not show that Kant's moral theory is applicable to all other animal species, but rather it is claiming that Kant's moral theory is sufficient to give incentives for the moral treatment of dairy cows. The position does not hold that all dairy farmers will thus be moral and submit to these incentives in their actions, but if they did, the welfare of dairy cows would be assured.

### Why Kant's Moral Theory is Necessarily Anthropocentric

Kant's moral theory is anthropocentric, not in a crass, empirical, or immoral sense, but in a moral sense that is justified by principled and moral reasoning, not by self-centered inclination. His reasoning for holding that human beings have direct duties only toward human beings is not based on some supremacist or arrogant form of superiority of human beings over other species of animal, but rather is based in recognition of the human capacity for transcendental reason, a supersensible faculty of freedom, that is not empirically verifiable or empirically grounded. Human beings, Kant claims, have a moral law in their reason that lays claim to them and obligates them in ways that other species of animal do not experience. Human beings are subject to the power of the moral law. It lays siege to their animality, and has power over them. This language is being used

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to make it clear that Kant does not mean that the moral law is some kind of privileged attribute or property that human beings have at their disposal that somehow makes them superior to other animal species and gives them privileges that allow them to be callous and cruel toward other animal species. Rather, human beings are different from other animal species in significant and relevant ways that should inform the way they treat other human beings, themselves, and other animal species.

Animal egalitarians who argue that Kant's position is a kind of speciesism or an assumption that human beings are superior to other species of animals, are not correct to equate Kant's kind of anthropocentrism with the assumption that human beings are superior in an empirical sense to other animal species. Nor are they right to claim that every form of anthropocentrism is unworthy of human morality and leads to an unjust assumption of unjust superiority or to wanton cruelty toward other animal species. Kant claims that "the highest life is freedom, which I find with human beings" (Kant, V-Met-L1/Pölitz 28:205),<sup>3</sup> but human beings have this *highest* life through their capacity for freedom, which is possible because of the claims of the moral law on human action. The incentives of moral action are in the moral law rather than in inclination (Kant, G 4:405) and this moral law gives humans incentives for moral action. Kant argues that just because the human being has reason "does not at all raise him in worth above mere animality if reason is to serve him only for the sake of what instinct accomplishes for animals [...]" (Kant, CprR 5:061). If the purpose of reason is just to serve animality and animal inclinations, then it is not a reason why humans are distinguished from other animal species. I think Kant is explicitly arguing that reason is not a special property that distinguishes human beings for special treatment. Rather, Kant's form of anthropocentrism holds that human beings have direct moral duties to themselves and to other human beings and this is the purpose of practical reason. Humans are to be guided by reason, and not use it to justify acting on animal inclinations.

Reason does not function as a property to justify permissiveness for Kant. Rationality is a function, not a property. Rationality is a function of the human species even if not all members exhibit it. It may be that other species of animals have forms of intelligence, but their intelligence does not function in this practical way to create obligations. Animal social norms are not the same thing as the moral law which evaluates human maxims. Other species of animals do not obligate and cannot obligate the way human beings can. Kant's argument is that human beings are morally different from other animal species because they have moral obligations and can obligate and can be obligated. Being subject to the moral law is obligation and is freedom from the incentives of inclination but it is also the norm for regulating inclinations. This is the first reason why human beings are significantly different from other animal species.

Secondly, human beings have the capacity to set ends as moral agents and it is this that gives humans dignity (Kant, G 4:393). Human beings set ends and are ends-in-themselves (Kant, G 4:428). For Kant, human beings are ends-in-themselves, and hence create the possibility of a system of means and ends, since without an end-in-itself there would be only conditional ends and means and no system (Kant, MM 6:385; CTJ 5:426-427). This attribution of human beings as ends-in-themselves is also not arbitrary and self-congratulatory, but based on the fact of reason that human beings have autonomy from inclination whereas other animal species do not. This possibility of freedom from inclination is based on the capacity for acting from the shared and self-imposed moral law that human beings find in their reason (Kant, G 4:429). Kant writes: "For what are [animals], together with all the proceeding natural kingdoms, good? For the human being, for the diverse uses which his understanding teaches him to make of all these creatures; and he is the ultimate end of creation here on earth, because he is the only being on earth who forms a concept of ends for himself and who by means of his reason can make a system of ends out of an aggregate of purposively formed things." (Kant, CTJ 5:426-

<sup>3</sup> All citations to Immanuel Kant are to the name of the work, the volume, and page number of the "Academy Edition" (*Kants gesammelte Schriften*, edited by the Deutsche Akademie der Wissenschaften zu Berlin [formerly the Königsliche Preussische Akademie der Wissenschaften], 29 vols. [Berlin: Walter de Gruyter, 1902-]). The following abbreviations of the name of the specific works are as follows:

Anth	<i>Anthropology from a Pragmatic Point of View</i> , translated by Robert Louden in Cambridge Edition of the Works of Immanuel Kant, <i>Anthropology, History, and Education</i> , ed. Günter Zöller and Robert Louden, Cambridge University Press, 2007.
CJ	<i>Critique of the Power of Judgment</i> , trans. by P. Guyer (ed.) & E. Matthews (trans.) in The Cambridge Edition of the Works of Immanuel Kant, Cambridge: Cambridge University Press, 2000.
Collins	Lectures on Ethics according to Collins
CprR	<i>Critique of Practical Reason</i> , translated by Mary Gregor, in Cambridge Edition of the Works of Immanuel Kant, <i>Practical Philosophy</i> , ed. Mary Gregor, Cambridge: Cambridge University Press, 1999.
CTJ	"Critique of Teleological Judgment," trans. by P. Guyer (ed.) & E. Matthews (trans.) in The Cambridge Edition of the Works of Immanuel Kant, Cambridge: Cambridge University Press, 2000.
G	<i>Groundwork of the Metaphysics of Morals</i> , translated by Mary Gregor in Cambridge Edition of the Works of Immanuel Kant, <i>Practical Philosophy</i> , ed. Mary Gregor, Cambridge: Cambridge University Press, 1999.
MM	<i>The Metaphysics of Morals</i> , translated by Mary Gregor, in Cambridge Edition of the Works of Immanuel Kant, <i>Practical Philosophy</i> , ed. Mary Gregor, Cambridge: Cambridge University Press, 1999.
RzA	Reflexionen zur Anthropologie
V-Anth/Fried	Anthropology Lecture according to Friedländer
V-Met-L1/Pölitz	Metaphysics Lecture according to Pölitz
V-Lo/Dohna	Logic Lecture according to Dohna

427). This system of purposively formed things is a system only because there is an end-in-itself. Otherwise, there would be a chaotic situation in which there are means and conditional ends only. In this, human beings are distinct from other animal species, but in a way that affords them responsibility to create a moral system (universe) in which even other animal species can be included and cared for. As an example, the dairy farmer creates an ecosystem on their farm which then cares for dairy cows.

Thirdly, human beings alone of all animal species have two parts to them: animality and personality. Kant argues that “there is a twofold subject in the human being. When he reproves himself, then he does so as intelligence, when he is reproved by himself, then he is reproved as animal. Thus, the human being considers himself from two points of view, as animal and as intelligence. Intelligence constitutes personality, which is however combined with animality.” (Kant, V-Anth/Fried 25:476). The human being must exercise self-control, and discipline its own animality through maxims and rules (Kant, MM 6:394). Other animal species do not have this kind of moral requirement. This too is why the human species has the possibility of dignity (Kant, G 4:435). Human beings constrain their actions through the representation of law (Kant, MM 6:380). Human beings have duties as a result of this ability to constrain and obligate (Kant, MM 6:442; MM 6:241). Human beings are obligated to raise themselves from the crude state of nature and set ends (Kant, MM 6:387). To raise themselves to be worthy of their humanity they have duties to perfect themselves and to promote the happiness of other human beings (Kant, MM 6:393). Other animal species do not have duties of virtue to themselves or to others. It is thus important to treat human beings with respect and dignity while also caring for other animal species that belong to human beings or affect human beings’ welfare.

A fourth reason why humans are distinctive is because the moral law awakens *respect* in human beings, because human beings are *persons* (Kant, CprR 5:76-77; G 4:401 FN; MM 6:462). Thus, all human beings are equal in worth and only human beings among all animal species are of equal worth as *persons* for Kant. Human beings alone among animal species are *persons*, and they alone are able to rise above animality through being a person (Kant, CprR 5:161-62). Kant argues that “respect is always directed only to persons, never to things. The latter can awaken in us *inclination* and even *love* if they are animals (e.g., horses, dogs, and so forth), or also fear, like the sea, a volcano, a beast of prey, but never respect” (Kant, CprR 5:76; 5:61-62). This does not deny that other animal species have personality traits, but being a person means being also subject to the moral law (“the fact of reason,” Kant, CprR 5:31). This moral law holds for all human beings (Kant, MM 6:429). This mutual sharing of the moral law by persons constrains human beings not to give into their inclinations, but submit their maxims to the universally valid moral law (Kant, MM 6:442; G 4:429). The universally valid moral law puts a fence around the human species and unites them and excludes all other animal species (Kant, MM 6:462) because it is only human beings who are under the same moral law. This moral law requires that human beings not esteem themselves as better than other human beings, nor should any human being expect other human beings to esteem themselves as inferior (Kant, MM 6:465). Hence, Kant’s position would prohibit sexism and racism, while not accepting animal egalitarianism. A Kantian moral theorist should be more concerned about human cruelty than about animal cruelty. However, animal cruelty by human beings, for Kant, demeans humanity so it is relevant to the dignity of humanity. Kant is not a crass speciesist though, because of this position, since it is also morally impossible to treat other animal species as equal to human beings.

Kantian animal welfare advocate, Nico Müller, holds that because of the equality among humans, Kant’s moral requirement that human beings not be arrogant and exalt themselves over others (Kant, MM 6:449.32), entails that they fail morally when they esteem themselves as more worthy of happiness than other animal species (Müller, 2022, p. 158). Müller believes human beings should adopt animal ends as their own (Müller, 2022, 106, 160). But this is impossible without demeaning humanity, since adopting the “ends” of animals is to adopt inclinations and instincts as human ends, since this is what forms animal “ends.” If animals are not capable of acting on the moral law, then their “ends” are formed by their inclinations and instincts. For Kant, “animals have no free choice, their actions are necessarily determined by their sensory impulses.” (Kant, Mongrovius, 29:611). Kant argues that “animals are necessitated per *simulos*, so that a dog must eat if he is hungry and has something in front of him; but the human being, in the same situation, can restrain himself.” (Kant, Collins 27:267). Animals actually have no agent “ends,” because to have an end is to use a concept. Kant argues that “an end is an object of free choice, the representation of which determines it to an action (by which the object is brought about)” (Kant, MM 6:384; see also V-Lo/Dohna 24:702). For Kant, animals do not operate on agent ends, because they do not have concepts (Kant, CJ 5:172). So, it is impossible to promote the “ends” of animals as if they could freely choose their ends. Human beings, therefore, cannot promote animal “freely chosen ends” in the way they can promote the freely chosen ends of human beings. Even for human beings, it is not morally required to promote all the ends of other human beings if the ends are unacceptable and based on inclination. Kant clarifies that “it is for them to decide what they count as belonging to their happiness; but it is open to me to refuse them many things that *they* think will make them happy but that I do not, as long as they have no right to demand them from me as what is theirs” (Kant, MM 6:388). Human beings may refuse to promote another’s misguided understanding of happiness. If other animal species are always driven by inclinations and instincts, then a human being cannot promote their “ends” without demeaning their

humanity. This doesn't mean, however, that human beings are not obligated to care about animal welfare since animal welfare affects human dignity and also the welfare of human beings.

It is possible that the only way human beings can relate to other animal species is like the way they relate to children of the human species. Kant distinguishes children from adults: "I cannot be beneficent to anyone according to my concepts of happiness (except for children during their minority or the mentally disturbed) [...]" (Kant, MM 6:454). With mature and abled human beings, human obligation is constrained by the concepts of happiness deriving from other human beings, and there is a direct obligation to promote their ends, but with other animal species human beings have to patronize them like children, or steward them. Human beings can create a custodial relationship to other animal species, as in the example of the dairy farmer. But unlike children, human beings cannot educate other animal species to their moral destiny and freedom. Other animal species do not have ends, and human beings cannot promote them because whatever is perceived as their "ends" are motivated by sensuous impulses or the ends of nature. This does not deny, however, that human beings can treat other animal species as morally relevant and can care about their welfare. For Kant, some animals are analogous to human beings in their relationship to us as though they were a member of our household (Kant, MM 6:443; Collins 27:459).

A fifth reason why Kant's moral theory is anthropocentric, is because he argues that only "human beings can have an 'I' in his representations." (Kant, Anth 7:127). This "I" raises human beings above all other beings and because of this "he is a person, and by virtue of the unity of consciousness through all changes that happen to him, one and the same person –i.e., through rank and dignity an entirely different being than things, such as irrational animals, with which one can do as one likes." (Kant, Anth 7:127). Kant is pointing to something beyond self-awareness which some animals also have. The "I" is a concept and unifies human representations so that human beings are capable of moral action. Human beings are "above" all other animals because they can be moral, and because they have responsibility and obligations. Being "above" does not entail unjust privileges that would justify cruelty. Kant is emphasizing that human beings can do what they *like* with irrational animals, and by that he means animals can be means to human ends. *Being a means* does not automatically justify cruelty. Although Kant calls irrational animals *things*, this is in distinction to *persons*. Kant clarifies that "a *thing* (*Sache*) is that to which nothing can be imputed. Any object of free choice which itself lacks freedom is therefore called a thing (*res corporalis*)" (Kant, MM 6:223). Legally, *things* or *res corporalis* are tangible property; they belong to human beings. As Germans would say: "*meine Sachen...*" Being a thing does not necessarily mean one is not worthy of moral concern since even my things matter to me.

For Kant, one can be a thing and a person at the same time. In "On rights to persons akin to rights to things," Kant lays out the idea that there is a right to "...possession of an external object as a thing and the use of it as a person" (Kant, MM 6:276). In this section, Kant lays out his theory of marriage and sexuality and how each person makes himself "into a thing (*Sache*)..." in sexual intercourse (Kant, MM 6: 278). This becoming a thing in the act of sexual intercourse, conflicts with the "right of humanity in his own person" (Kant, MM 6:278) and it hardly seems reconcilable with other statements by Kant which assert that persons and things cannot be one and the same thing (Kant, Anth 7:127). However, as confusing as this is, I want to note that making oneself into a "thing" is not the same as making oneself into an object or a mere means. Kant uses both words (*Sachen* and *Gegenstand*) in this section, but Kant specifies that partners are making themselves into things (*Sachen*), not objects (*Gegenstände*). In Kant's "Critique of Teleological Judgment," Kant also notes that organic beings can be both ends for themselves and also means to other beings. Human beings can be means in the state of organic nature. In Kant's moral philosophy, human beings are at the same time means and ends-in-themselves for other rational beings who have obligations under the universally valid moral law. Other animal species are things and are not ever *persons*, because they do not come under obligation from the universally valid moral law (Kant, G 4:428). Other animal species do not have to conform their actions to validity and hence they conform their actions to inclinations and instincts. Kant is not saying they may be treated cruelly, however, but he is implying they may be eaten, and that human beings do not have direct obligations from them or to them, which constrain human inclinations from acceptable things like eating, drinking, and nutrition. Yet, while other animal species are things, that does not imply that we cannot at the same time treat them in a way that rejects cruelty.

A sixth and final reason why Kant is anthropocentric, but not supremacist, is because human beings, but no other animal species, are under the pressure and force of reason to constrain their animality. They probably would not choose this if they had their preferences, and they cannot absolve themselves of this pressure but must yield to it. David Baumeister argues the significance of the word that Kant uses when he discusses the relationship between humanity and animality (Baumeister, 2022, p. 39). Kant says that "we must do violence [*Gewalt*] to the determination of animality" (Kant, V-Anth/Fried 25:682). This is a significant word that might better be translated as *force*, rather than as *violence* in this sentence. In order for human beings to become human, their animality is subject to force. In his reflections on anthropology, Kant maintains that all animal individuals achieve their full destiny but not so the human individual, because it cannot realize the ends of its animality fully, since they come under reason and are constrained. At most the human species together achieves its full destiny (Kant, RZA, XV:889, Refl. 1521). Kant argues that human beings must struggle with

their animality: “No matter how strong their animal tendency to yield passively to the attractions of comfort and well-being, which they call happiness, they are still destined to make themselves worthy of humanity by actively struggling with the obstacles that cling to them because of the crudity of their nature. Human beings must, therefore, be *educated* to the good.” (Kant, Anth 7: 324-25). Other animal species, on the other hand, can “use their powers as soon as they are possessed of them, according to a regular plan –that is, in a way that is not harmful to them” (Kant, Ed 9: 441). Human beings must be educated; other animal species do not have to be educated like the human species (Wilson, 2006, p. 46). Human beings are not the “rational animal” as though they are already fully realized, but they are “the animal capable of becoming rational” (Kant, Anth 7: 262; MM 6: 456).

Kant is not an animal egalitarian. The human species has relevant and significant differences with other animal species. These differences do not give human beings privileges to be cruel, but burdens of obligation. Human beings are under moral laws and must be educated appropriately. To equate them with other animal species would be to fail to recognize the unique way human beings need to relate to other human beings. They are ends in themselves and moral beings. Other animal species are not the same as human beings, but animal species are part of human life, and human moral dignity and happiness are at stake in how they are treated.

### **Kant’s Anthropocentrism does include Indirect Duties for Animal Welfare**

Kant’s anthropocentric position doesn’t mean that human beings may treat other species of animals as mere things (*Sachen*) or objects (*Gegenstände*). Kant does indeed say that animals are things (*Sachen*), but he means by this designation that they may be used as a means to food, in experiments, and as farm animals. Kant’s moral theory is not opposed to eating animals or experimenting on them as long as there is no unnecessary cruelty involved (Kant, MM 6:443). He is not trying to denigrate animal organisms to the point where they are equivalent to objects (*Gegenstände*). This can be seen clearly in his arguments about what organic beings are in the *Critique of Teleological Judgment*, which make it clear that animal organisms are different than objects. Organic beings can be ends for other beings, and also for other natural processes. *Things*, like objects, do not have an internal organization in which each part is a means and end for the whole of the being (Kant, CJ 5:374-76). Nor are *things like objects* (*Gegenstände*) ends for which organic beings exist. But it is possible to judge water and sunlight to be a means to growth in a tree, for instance. The tree, on the other hand, would not be judged as a means to the water’s well-being or further growth. So, water is an *object* in a way that organic beings like a tree are not. Other species of animals are means to human ends, and humans can be means to other animal species’ ends in the system of nature. In the whole system of nature, even human beings are eaten. Sometimes human beings are victims of wild creatures. Often human beings are eaten by living organisms called bacteria when they die. So human beings are ends and means within the living system of organic beings. There is nothing special about human beings in the system of organic beings. They eat and are eaten. But what makes humans stand out for Kant is their capacity for moral practical reason, and for being subject to the moral law. This gives human beings a dignity and responsibility that other organic beings do not have. So, Kant does distinguish the human being from other animal species on the basis of their subjection to moral reason, but while this is an anthropocentric position, it does not entail that human beings may treat all other animal species as mere arbitrary objects and have no regard for their welfare. Just because other animal species can be means does not mean there are no obligations to their welfare. Human beings may also be means, but there are moral obligations to their welfare and to their happiness. So, other animal species may be means, and also may be treated in a way that promotes their welfare. Being a means and being cared for are not mutually exclusive.

This position agrees with Kantian animal welfare advocates, like Toby Svoboda, who argue that human beings may not treat other animal species without regard to their welfare because of the direct duties to human self-perfection and to humanity (Kant, Collins 27:41), but this position will go beyond him and assert that humans also have indirect duties to animals according to Kant because of the direct duties to the happiness of other people (Kant, MM 6:442-3; MM 6:456). But first, this position must be limited to one species of animal, because it is not clear that human beings must care about the welfare of all other animal species in the same way. Eighty percent of all animal species are arthropods. Human beings cannot possibly care for their welfare or every sentient being in the same way they care for dairy cows. For instance, if a human being is in danger of being eaten by a crocodile, that person would not have any obligation at all to care about the crocodile’s welfare. The endangered human being would have a direct duty to preserve their life and Kant would permit that person to kill the crocodile and take no regard for its welfare as they try to escape with their life. However, if a human being is in a fully different context, like on a dairy farm, and their life is not in danger, they can definitely have various indirect duties as a dairy farmer to care about the welfare of the dairy cow. It is very likely that when Kant is talking about animals and indirect duties to them, he has in mind farm animals and not arthropods and crocodiles.

Thus, this paper will explore human indirect duties to only one species of other animal and how human beings can be obligated to care about the welfare of a dairy cow from a Kantian perspective without having to

grant the dairy cow rights, direct duties, or intrinsic/inherent worth. Applying Kant's moral virtues to the dairy farmer, one can conclude that the dairy farmer has two reasons for caring about the welfare of the dairy cow: one) because of their direct duty to themselves to be humane (Kant, MM 6:391; MM 6:398), and two) because of their direct duty to other human beings' happiness (Kant, MM 6:393; MM 6:398; MM 6:388). Both of these duties to human beings, that Kant defines, are sufficient to ensure that the dairy farmer does not treat the dairy cow cruelly and ensures that the dairy farmer promotes the happiness of the dairy cow.

### **Why Kant's Moral Theory Promotes the Welfare of the Dairy Cow**

So, if the dairy farmer takes seriously their obligations to human beings, their direct duties to themselves, and their direct duties to other human beings' happiness, the dairy cow will be cared for and will not be treated cruelly. In addition, human beings will be treated with respect and not demeaned. Treating oneself and other human beings with respect and dignity entails caring for the welfare of dairy cows, if one is a dairy farmer. There is no guarantee that dairy farmers will treat dairy cows well even if Kant is right, because even though it may be clear to everyone that human beings have dignity and rights, still there are human beings who demean other human beings and treat them cruelly. Dairy farmers may also fail to live up to Kant's moral standards. This does not mean that Kant has a bad or inadequate moral theory, because people are not conforming their behavior accordingly, because not all human beings conform their behavior to other moral theories either. However, this section will explore whether Kant's direct duties to human beings and hence indirect duties to animals are sufficient to establish morally that dairy cows should not be treated cruelly and that they should be made happy as part of the dairy farmer's obligations to their own humanity and to other human beings' happiness.

First, of all, this position agrees with Toby Svoboda that Kant's perfect duty to one's own perfection would require that the dairy farmer not treat dairy cows cruelly (Svoboda, 2019, 77ff). Kant supports this with his claim: "So if a man has his dog shot, because it can no longer earn a living for him, he is by no means in breach of any duty to the dog, since the latter is incapable of judgment, but he thereby damages the kindly and humane qualities in himself, which he ought to exercise in virtue of his duties to mankind" (Kant, Collins, 27:459; 27:41-3). For Kant, it is sufficient to produce kindness and gratitude toward farm animals out of the human being's own commitment to self-perfection. The human desire to be humane is at stake in how the farmer treats farm animals, like a dog. Kant argues that "with regard to the animate but nonrational part of creation, violent and cruel treatment of animals is far more intimately opposed to a human being's duty to himself, and he has a duty to refrain from this: for it dulls his shared feeling of their suffering and so weakens and gradually uproots a natural predisposition that is very serviceable to morality in one's relations with other people" (Kant, MM 6:443). Kant believes that human beings should preserve their capacity for sympathy even when they treat other animals because they injure their humanity when they treat other animals poorly (Kant, V-Anth/Fried 25:607). To treat a dairy cow cruelly, a dairy farmer would have to become insensitive to the effect of their actions on the dairy cow. A dairy farmer would have to see the pain or stress inflicted by their actions, and not respond with sympathy. In being wantonly cruel the dairy farmer would be constraining a natural feeling that supports morality. The more the farmer systematically restrains that feeling of sympathy, the less it becomes supportive of morality (Kant, MM 6:443; 456). Human beings need all the help they can get to constrain animal inclinations, and to take sympathy out of the toolbox is to injure their path to humanity (Müller, 2022, 70). Human beings do not become less of a person when they lose sympathy for other animal species, but they become insensitive to suffering whether it is in others or even in themselves. Human beings then are less likely to grow in morality, and less likely to promote their own moral perfection because they have injured their own capacity to respond in a caring way to suffering in another living being. Normally, sympathy would reach out to alleviate pain and stress, but now it has been disconnected from their moral life, and the farmer passively looks upon a creature they are treating cruelly without acting to alleviate the suffering. Instead, according to Kant, their concern for their own humanity suffices to constrain their inclinations to cruelty. They do not want to be that kind of a person who doesn't care about the welfare of a fellow creature (Kant, MM 6:456).

In addition, the dairy farmer will treat dairy cows well because they are the means the dairy farmer uses to promote other human beings' happiness. To see this connection between the indirect duty to dairy cows and the direct duty to human happiness, there is only a need to consider the context in which dairy cows exist. Dairy cows would not exist for the most part without human intervention. For the most part, dairy cows are brought into existence by human beings who work in the business as dairy farmers. Dairy cows belong to the dairy farmer by right (Kant, MM 6:275). They may be used as a means, according to Kant, because they are property (Kant, Collins 27:458-60; MM 6:443; Con Beg 8:114.07-09; CTJ 5:426-427). The first moral question that can still be raised is if it is morally permissible to give life to a dairy cow without its consent and thereby make it property. Kant does not address this issue, but he does address the issue of giving life to human children without their consent. He believes it is morally permissible to do so as long as parents accept the responsibilities of the welfare of children (Kant, MM 6:280-1). If human parents can bring a being with dignity and freedom into

this life without their consent, it is not unreasonable to bring a dairy cow into existence without its consent. Like children who come to love their parents even though they did not choose them; cows come to appreciate their life even if they did not choose it. But unlike children, the dairy farmer is not planning on educating the dairy cow to its freedom and releasing it. The dairy farmer is planning on milking the cow and selling the milk to other human beings. Is this moral? It depends now on how the cow is treated when it is milked. Milking a dairy cow is not contrary to its nature and it is not self-evidently cruel. Cows will voluntarily go to the robot or carousel to be milked with some treat incentives. Dairy cows can be bred, and they can produce milk consistently. One dairy farmer thinks of it as a contract he has with his cows.<sup>4</sup> He takes care of them, and they produce milk for him and for other human beings. The dairy cow gets a chance at life in exchange for providing milk to nourish and feed human beings. In some ways, this is like the kind of contract human beings engage in when they go to work. Human beings are willing to do things for their employer that they might not be willing to do otherwise, but they get something in compensation for it: money, and an opportunity to work. And this is not cruel. Dairy cows also engage in some sort of work. They eat, drink, lay down on sand or something comfortable, defecate, chew their cud, and go to the robot or carousel for milking. They bear a calf, and they repeat the whole cycle again. Many dairy farmers don't use bulls to inseminate their cows anymore because of the risk of injury to the cow. Artificial insemination is safer for the cow, can be used to breed smaller calves so the birth is safer, and the artificial insemination is also more accurate for breeding purposes. So, in this way, cruelty in the form of risk to physical health is minimized by the dairy farmer.

Now what about the welfare of the dairy cow? Some animal egalitarians think that human beings will only care about the welfare of the dairy cow if it is given rights, or if it is accorded intrinsic/inherent value. Kant would not accept either of these options. He believes dairy farmers may treat the cow as a thing in the sense that it may be used as a means for milk production and eventually it may serve as meat (Kant, MM 6:443.16-21). His anthropocentrism is consistent with this position, because only human beings are ends-in-themselves. Cows cannot make human beings constrain themselves from ends that are permissible like eating, drinking, and nutrition. However, there is no necessity to accord dairy cows with intrinsic/inherent worth in order to restrain human beings from treating the dairy cow cruelly (Kant, MM 6:443). Kant's two duties: one) to one's own moral perfection, and two) to other people's happiness will already constrain the dairy farmer to treat the dairy cow well and regard its welfare (Kant, MM 6:388). Dairy farmers who are cruel to cows are demeaning their own humanity and contributing to the unhappiness of other human beings.

Kant's duty to one's own moral perfection includes the duty to develop their humanity out of their animality. The transition from their animality to their humanity already includes the restraint of animal inclinations. Cruelty occurs when one does not constrain their animal inclinations. If cows are stressed and the dairy farmer ignores that because of an inclination to make a lot of money, then it is the inclination that needs to be restrained by the dairy farmer's reason. The dairy farmer's duty to the perfection of their own humanity is at stake in restraining the inclination to make lots of money by treating a dairy cow cruelly.

Of course, one can ask whether it is cruel to take milk from a dairy cow and then when the dairy cow is no longer producing over 60 pounds of milk a day to cull the cow from the herd and send it off to slaughter. There may well be farmers who treat dairy cows cruelly, but there are also human beings who treat other human beings cruelly as well. This section is exploring whether it is morally possible for the dairy farmer to constrain her/himself to treat dairy cows well so that there is the impression that the dairy cow is happy and content, and still take milk from them and send them off to slaughter when they are no longer productive.

That this is morally possible and reasonable is evident in what is known about dairy cows. The first thing to acknowledge about a dairy cow is that it does not let down its milk when it is stressed. It must release oxytocin in order to eject its milk.<sup>5</sup> If a cow is being treated cruelly and is unhappy, the cow will be stressed and not release oxytocin. So, it is necessary to be benevolent to the dairy cow in order to milk the cow (Kant, MM 6:452). This entails that the dairy cow needs to be kept at a certain optimal temperature so it is not experiencing heat stress, it must have a comfortable place to lay, it must have feed and water, and it must be able to associate with other dairy cows. Cow comfort actually correlates with high milk production. Providing cows with sand for lying down, and rubber matting on floors, keeps dairy cows comfortable and free from injury and lameness. How do we know that a dairy cow is happy? First, it must be injury free. Second, the cow's contentment can be observed in the position of its ears and when it is chewing its cud and appears relaxed lying down (Kant, MM 6:377). Milk production (butter fat and protein content) is another good indicator that the dairy cow is faring well. The dairy farmer has incentives to make the dairy cow comfortable since milk production is correlated with cow comfort. It is not just financial self-interest that is the motive, however, because the milk is aimed for other human beings. The quality of the milk for other human beings can be protected by the dairy farmer through the use of sand as bedding in a free stall, since this protects the udders and keeps them clean and away from manure. A comfortable and clean bed thus protects the quality of the milk and sand also promotes cow comfort. The comfort of the cow is thus linked to the happiness of human beings.

<sup>4</sup> On Facebook: "Iowa Dairy Farmer."

<sup>5</sup> Gorewit RC, Wachs EA, Sagi R, Merrill WG. "Current concepts on the role of oxytocin in milk ejection."



The motive for keeping a dairy cow happy and caring for its welfare is not just the farmer's isolated financial self-interest, because the dairy farmer wants to sell their milk to other human beings. In even a small farm, this is managed by selling one's milk to a coop. The coop has regulations that guide what a dairy farmer may do. For instance, a dairy farmer may not include the milk of a cow that is on antibiotics in their shipment. Why not? Because this is part of the regulations that govern coops. Why are there these kinds of regulations and laws? They are there to protect the well-being and happiness of the consumer of milk. So, not only is the dairy farmer guided by the duty to develop their own humanity from animality and treat the dairy cow humanely, but they are also under maxims that are developed in respect to the duty to the happiness of other human beings. The dairy farmer operates on maxims that include recognition that human beings are going to be drinking the dairy milk that is produced. Cows that are stressed and treated poorly will not produce as much milk or high-quality milk (inclusive of protein and fat) and this milk will not be as good for human beings. The dairy farmer does not need to view dairy cows as having rights or as being intrinsically worthy in order to treat them well. Their duties to their own humanity and their duties to the happiness of other human beings are enough to constrain their animal inclinations from cruelty and lack of regard for the welfare of the dairy cow. This argument is that Kant's moral theory provides enough incentive to protect the welfare of the dairy cow.

Those who believe that other animal species have the same emotions as human beings generally point to the dairy farmer's practice of early separation of the cow from her calf as evidence of animal cruelty. There is a distinct possibility that this judgment is grounded in a projection of human emotion onto cows and calves. Studies show that neither the cow nor the calf suffer significantly when this separation happens right after birth, and in fact, the safest situation for the calf is to have this separation happen as soon as possible.<sup>6</sup> The best outcome for a calf is actually to be separated from the cow since the cow is a huge animal and can actually hurt the calf. Some cows have crushed their calves. Second, the best health outcome for a calf is that the dairy farmer provides high quality colostrum within two hours of birth in order to create the immune system of the calf. Leaving this up to chance and the strength of the calf to get on its feet and nurse is not in the best interest of the future of the calf. Thirdly, the separation of a calf and a cow after eight months of nursing does cause significant suffering and stress. It is very likely that cows and calves do not experience significant suffering in the early separation because the bonding has never taken place because there is no nursing experience. Assuming that all animals are equal and have the same emotions makes it hard to see the significant and relevant differences between human beings and other animal species.

Now, what about the fact that the dairy cow is sent to slaughter before it dies of old age? At first glance, one might think Kant would support putting the dairy cow out to pasture out of gratitude and sympathy. However, Kant does think that human beings may kill and eat farm animals (Kant, MM 6:443). However, does this take into consideration the well-being of the dairy cow? It is true that if the dairy cow is no longer producing 60 pounds of milk a day or is producing less butter fat and protein than is desired, the dairy farmer may no longer consider the cow to be a valuable asset. Are they thus treating the dairy cow cruelly when they send it to slaughter and shorten its life? Kant's position is that they may do this (Kant, Collins 27:459; CprR 5:87), but is his position consistent with our moral intuitions and his own moral duties? It appears to be reasonable and morally permissible to slaughter a dairy cow, because dairy cows only exist practically, because a dairy farmer brings them into existence. The dairy cow belongs to the farmer and the dairy farmer stewards the cow. The dairy farmer affords the dairy cow a pleasant and comfortable life in the ecosystem of the dairy farm. And that means that the farmer must decide whether the dairy cow is being productive or a burden within that system. Dairy farmers also have responsibilities to maintain their living in order to care for their own sensible needs (Kant, CprR 5:61), and to not fall into poverty. Poverty and unhappiness represent a challenge to virtue according to Kant (Kant, MM 6:388; G 4:399). So, dairy farmers must consider the profitability of their farms. A dairy cow that is not profitable is a burden, not an asset. Farming is a very vulnerable project that depends on fluctuating weather and market conditions; farmers must consider their farm's productivity in highly uncertain conditions and hence erring on the side of caution and productivity is reasonable. But what about the cow's vulnerability? Cows probably do not have the possibility of looking into the future and experiencing a deprivation of a future life. The empirical literature on cows does not show this capacity.<sup>7</sup> When dairy cows die, they either serve as food for bacteria, flies, and worms or they are slaughtered to serve as food for human beings. Dairy cows exist as a means to human nourishment, so it is probably more conducive to the human happiness that dairy cows serve as food for human beings rather than for worms and bacteria. Will the cow suffer when it is being slaughtered? It depends on the slaughterhouse, but Temple Grandin taught slaughterhouses how to slaughter cattle to minimize stress.<sup>8</sup> Cow comfort in slaughtering them is also conducive to human happiness since the meat then does not contain unnecessary stress hormones. Once a dairy cow is dead, it cannot suffer any losses. The beef then will be fed to human beings rather than to worms and bacteria. In the scheme of moral value, cows serving as food for humans is a good thing that can conduce to the happiness of other people because

<sup>6</sup> Weary DM, Chua B. Effects of early separation on the dairy cow and calf. 1. Separation at 6 h, 1 day and 4 days after birth.

<sup>7</sup> Marino, L., & Allen, K. (2017). The psychology of cows. *Animal Behavior and Cognition*, 4(4), 474-498. <https://dx.doi.org/10.26451/abc.04.04.06.2017>.

<sup>8</sup> <https://www.youtube.com/watch?v=RoNErsJNPzw&t=238s>.



they are being fed and nourished. Slaughtering an unproductive cow then contributes to the farms' profitability and human happiness.

This paper aimed to show that Kant's moral theory is unapologetically anthropocentric, because human beings alone are subject to the claims of the moral law in their reason. He is not an anthropo-supremacist, however, because although humans and other animal species are morally different, Kant includes other animal species in the moral universe. Kant is also not an animal equalitarian, but his moral theory does provide dairy farmers with moral incentives to treat dairy cows well, because it is establishing the moral criteria for duties to human beings and indirect duties to other animal species like the dairy cow. The two duties humans have to their humanity and to other people's happiness are sufficient to protect dairy cows from maltreatment if dairy farmers were to use them as a moral guide their actions. The moral duties that derive from Kant's universally valid moral law give the dairy farmer incentive to treat dairy cows well and restrain any animal inclinations that would tempt the farmer to treat the dairy cow poorly or treat themselves in a way that would be demeaning. The dairy farmer, thus, may engage in dairy farming morally and profitably without hurting dairy cows unnecessarily.

### Kantians and Anthropocentrism

It seems morally permissible using Kant's moral theory for human beings to raise dairy cows and use them for milk and meat (along with other byproducts). Yet, non-Kantians and some Kantians reject this implication from Kant's moral philosophy. I would suggest the reason they reject it is that they are basically animal egalitarians to begin with and they are looking for a moral theory to support that position. For non-Kantians, Kant's theory is not salvageable. But for Kantians, Kant's moral theory is attractive initially, because it is based in reason, accords dignity to rational beings, and makes a principled argument, but animal egalitarians want to extend that dignity to other animal species. If Kantian philosophers cannot get Kant's moral theory to extend to other animals (sentient animals) then they are willing to bring in Aristotle or Utilitarianism to modify Kant's moral theory and conclusions. But this mixing of moral theories is putting the cart before the horse. The mixing is meant to justify what the animal egalitarian wants independent of the moral system, namely, to include animals in moral consideration and give them intrinsic value so that it is possible to condemn animal husbandry, milk drinking, egg collecting, and meat eating.

Animal egalitarians came up with the problem of marginal cases to justify criticism of Kant's exclusive attribution of dignity to human beings by raising the issue that not all human beings are actively capable of rational deliberation and action, and therefore we are justified in including some animal species in the category of moral consideration because the adult member of the animal species is more intelligent than a disabled or minority human being (Regan, 1984). Patrick Kain was able to show that for Kant, however, all human beings, whether they are actively able to deliberate or not, have dignity as rational beings because they are members of the human species.<sup>9</sup> Kain does not endorse Kant for this position, but he does show that Kant has a position that can rebut the marginal cases objection (Kain, 2009). Kain uses Kant's theory of original predispositions and his theory of ensoulment to support his argument that Kant reserves moral status for all human beings regardless of whether they are currently in a position of deliberating rationally. Indeed, Kant's position is reasonable. We should treat all human beings with respect and accord them dignity even if they are disabled and not fully able to deliberate, because if they are children we must educate them to their freedom, and if they are asleep, we may wait until they wake up, or if they are disabled we do not know exactly where their limitations are since their rational capabilities can also be encouraged, nurtured, and promoted. For Kant, all human beings are in the kingdom of ends, and we should never assume that they are mere things. We are not therefore permitted to extend dignity to other intelligent animals just because not all human beings are fully functioning in their rationality.

In the meantime, empirical science has made great strides in identifying the stages and levels of intelligence in other animal species. As a result, a Kantian like Carol Hay is willing to grant these intelligent animal species intrinsic value "and grant that our moral obligations we have to them are very different from our obligations to other animals" (Hay, 2020, p. 184). This move does not cohere well with Kant's position, however, and she does nothing to reconcile Kant's exclusive attribution of dignity to human beings with her attribution of direct duties to some animal species. Kant's position is that we only have indirect duties to other animal species and his position is based on practical reason not empirical science. Hay is also willing to bring in Utilitarian considerations of pain and pleasure to justify the extension of moral duties to other animal species (Hay, 2020, p. 185). Hay is probably an animal egalitarian who is looking for some way to support her position, rather than follow Kant in his principled position to its logical conclusion. She does not accept meat eating unless there is a risk of starvation or malnutrition (Hay, 2020, p. 185). This does not follow from Kant's moral theory or what he says about animals.

<sup>9</sup> Intelligence and rationality are not the same thing, as Korsgaard rightly recognizes (Korsgaard, 3.2.2).

Christine M. Korsgaard in *Fellow Creatures* initially locates her argument in this debate regarding animal egalitarianism, and warns against this easy solution of according the same duties to animals that we have for human beings (Korsgaard, 1.2.2), while warning against the idea that human beings are more important than animals (Korsgaard, 1.3.1). She will locate value and importance in what she calls tethered values (or points of view) (Korsgaard 1.4). Human beings are important to themselves and thus they conclude that other animals are not as important. However, she has the insight that other animal species are also important to themselves and as a result human beings are not as important to them. Given her argument, we might wonder if Kant's position on human dignity is just a kind of human chauvinism and assumption of superiority because humans are partial to themselves, like all species. I have been arguing that Kant is not a crass speciesist or anthropo-supremacist in this sense. His position is not that humans are superior to other animal species. Korsgaard is also not going to make a speciesist argument because she is going to use Aristotle to justify according worth or goodness to other animal species (Korsgaard, 2.1.5). Aristotle locates the final good in the functioning of the creature; Kant locates it in human rationality and reason (actually in the Good Will), so she is departing from Kant.

Korsgaard is right to make this move, however. Kant would agree that creatures do have a sort of intrinsic worth (Wilson, 2012), because they are organized beings for which other things can be means to the end of the organism. This is a relative end, for Kant, however, since he recognizes that the organism still exists in an ecosystem of nature in which it can serve as a means to other animals' ends. Korsgaard wants to see this 'good for the functioning of the creature' as a final good and as thus being normative for human beings: "From there all we have to do is generalize: that principle requires that we should take the ends of beings who have a final good to be absolutely valuable" (Korsgaard, 8.5.3). As she says: "final goods exist because there are such creatures, creatures for whom things can be good or bad" (Korsgaard, 2.1.9). As we have already seen, animal ends cannot be normative for us, since they do not have agent ends and for Kant, they do not obligate us. Even if each animal is a final end for itself, it still exists in an environment where it is a means to other organisms' ends including human ends. Korsgaard is thus not staying within Kant's moral theory or his philosophy of nature. She is bringing in Aristotle because she wants to give moral standing to animals. Ultimately, she is going to advocate for the elimination of predation and meat eating. She wants to affirm the goodness of creatures, but she is not willing to admit that some animals are predators, and function fully and completely as predators, and that the human species includes people who are farmers who engage in animal husbandry as part of their functioning fully as a human being. Her position is also not able to overcome anthropocentrism and anthropo-supremacy because she still wants to identify some creatures as more important than other creatures because they have sentience, self-consciousness, and experience pleasure and pain like human beings, which presupposes human nature as a standard. If she were consistently using Aristotle she could distinguish between humans, animals, and plants, but when she identifies "fully functioning" as the final good she cannot really justify distinguishing between plants, other animals, and human beings. All of them fully function in accord with their nature. Thus, in her logic we ought to draw the conclusion that plants would also have a final good and we could not eat them. But this is absurd, because we must nourish our bodies. Yet, she wants to accord more moral value to some creatures over other creatures like sponges and plants (Korsgaard, 2.2) and so we have to conclude that she is an animal egalitarian and is looking for a moral system that will justify that preference, rather than following Kant and Aristotle to their logical conclusions, and admitting that she has preferences that are driving her arguments. Korsgaard makes general statements about all animals which identify her as an animal egalitarian: "But no creature or species of creature could be flat-out absolutely, more important than every other unless that creature or species was more important to the members of all the other species even than they are to themselves" (Korsgaard, 4.1.1.). She later presents her position as: "But we are not the only beings for whom things can be good or bad; the other animals are no different from us in that respect. So we are committed to regarding all animals as ends in themselves" (Korsgaard, 8.5.5). Her position is not truly Kantian nor Aristotelian but rather animal egalitarian and is based on her preferences.

Helga Varden is another Kantian who wants to follow Kant to his logical conclusions as I am doing in this paper. She acknowledges, as I do, that Kant holds that human beings have dignity by virtue of their rationality and moral agency. She acknowledges that Kant's position is that there is a significant difference between human beings and other animal species (Varden, 2020, p. 159). Human beings have duties "to" other human beings but duties "regarding" other animals. She acknowledges that Kant is anthropocentric, but not in an instrumental way (Varden, p. 160). Varden points out that, according to Kant, human beings have natural predispositions to animality, humanity, and personality, and she finds that this larger account of the full reality of human beings encompasses social caring for other human beings and animals. She could flesh this out more but what is interesting about her position is that she is willing to stay with Kant and find other philosophical material in Kant for extending care to animal species. In conclusion, she believes that some of the ethical questions we face with animals (to eat meat or not) are matters of existential decision-making rather than fundamental moral questions, whereas torture and cruelty are not matters of preference, because they deal with the basic human struggle against the propensity to evil in ourselves (Varden, 2020, p. 171). I believe this element of Kant's ethical position is what I referred to in the farmer's struggle with their own animality when they are tempted to treat the dairy cow poorly in order to increase the financial bottom line.

What makes human beings different from all other animal species is also this inner struggle human beings have to grow and find moral motives apart from their animal inclinations. Korsgaard recognizes rightly that human beings do have moral obligations which distinguish them from animals, but she denies this is a property that makes them superior. That morality is not a property is accurate, but Kant's position is not that human beings are superior to animals. Human beings have moral obligations that other animals do not have. This does not mean they are superior, but it does mean they should guide their actions by considering how they can will their maxims to be acceptable to all human beings. This is the way that human beings should function, not how they function. We must never forget that human beings are always under moral laws; this is not a metaphysical property but an existential condition. Animal egalitarians acknowledge this distinct human condition, since they are writing to other human beings and trying to convince them that they should treat other animal species better. In this, they implicitly recognize that human beings are not the same as other animal species. Yes, Kant argues that human beings should not be cruel to other animals, but human beings also have the obligation to nourish themselves and feed themselves and Kant would permit using domestic animals to do so.

This paper is attempting to show that Kant's moral theory can avoid the unjust position of anthropo-supremacy, which condones treating animals as mere things as though they were objects, and communicates the wrong message to human beings about their alleged privileges. At the same time, his theory avoids animal egalitarianism, which not only demeans humanity, but sends the wrong message to those who are not aware of the philosophical grounds for human dignity. Those unaware of the grounds of their own human dignity may be tempted to embrace animal welfare as a final good in an effort to be a good human being. In this effort, some animal rights and welfare advocates have become hostile not only toward farmers, but also toward the human species. In a comment on the New York Times article on the success of a transplantation of a pig's heart in a human being, one such animal welfare advocate (Donna) exclaimed: "Just because animals have been killed for thousands of years to benefit humans, does not make it morally right. How completely self-serving to proclaim that a human life is worth more than an animal life. It's a simple fact that we use (and abuse) animals because they are at our mercy and not in a position to protect themselves. We are a reprehensible species on so many levels."<sup>10</sup> It would take another paper to prove this, but I suspect that this kind of misanthropic judgment about human beings is not a coincidence and not isolated. The way that animals and human beings are portrayed by some animal egalitarians is very skewed. Animals are portrayed as mere victims and humans as brutal and arrogant. I cannot prove this connection between animal egalitarianism and misanthropy in this paper, but it is one of the reasons I am motivated to articulate and support Kant's moral theory and human dignity. This paper is attempting to show that we can and should use Kant's moral theory to support human dignity and that we should treat domestic animals with kindness. We need to struggle with our own animality, and we need a moral law and duties that are valid for all human beings to guide this struggle.

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