

Mark H. Bernstein

## The Moral Equality of Humans and Animals

Basingstoke, UK: Palgrave Macmillan, 2015  
xii + 153 pp; Notes; Selected Bibliography; Index

Corey Lee Wrenn

## A Rational Approach to Animal Rights: Extensions in Abolitionist Theory

Basingstoke, UK: Palgrave Macmillan, 2015  
xvii + 239 pp; Notes; Bibliography; Index

Although this is not so usual, let us present two highly interesting new texts together, primarily due to the interrelatedness of their topics, but also for other similarities of theirs. Let us immediately start with the statement understandable to all those still prone to fetishise books: the Palgrave Macmillan factory knows how to do it. The format is ideal, and so are both the design of the (hard) covers and the choice of the printing font. And now to the subject.

Mark Bernstein (b. 1948) is Professor at the Purdue University College of Liberal Arts (West Lafayette, Indiana) and holds the Joyce & Edward E. Brewer Chair in Applied Ethics. He earned PhD at University of California, Santa Barbara, and later worked in San Antonio, Texas. He is known for his books on *Fatalism* (University of Nebraska Press, 1992), *On Moral Considerability: An Essay on Who Morally Matters* (Oxford University Press, 1998), and *Without a Tear: Our Tragic Relationship with Animals* (University of Illinois Press, 2004). No wonder, thus, that Bernstein now

appears with the new title – *The Moral Equality of Humans and Animals*, fitting well into the *Palgrave Macmillan Animal Ethics Series* with Andrew Linzey and Priscilla Cohn as series editors, Clair Linzey as associate editor, and more than twenty titles as yet.

In a quite provocative and unexpected manner, Bernstein tries to construct moral equality of animals by relativising the value of human interests and life, and proving their unimportance. By questioning the supremacy of human interests over those of the animal and by „disvaluing“ the human death argument, Bernstein arrives to the conclusion that „we have no reason to accept the human superiority thesis.“

Once again at Palgrave Macmillan, *A Rational Approach to Animal Rights* was published in 2015. The author is Corey Lee Wrenn (b. 1983), a fresh PhD (2016) and a lecturer of sociology at Monmouth University, New Jersey, and Colorado State University. She is also a member of the Advisory Board of the International Network for Social Studies on Vegetarianism and Veganism at the University of Vienna and the founder of the Vegan Feminist Network (2013).

Unlike Bernstein, Wrenn departs from a more practical approach (and ambition). Knowing very well the nonhuman-animal rights advocacy scene, Wrenn, supporting “a small and marginalised radical faction” of vegan abolitionists, criticises vegetarianism and other compromising attempts at easing the suffering of animals. Wrenn’s ambition has been to create a coherent and effective path for animal rights activism, including a detach from philosophy and approaching scientific rigorousness (evidence basedness) and a rationality based on critical observation and discovery.

So, a more experienced philosopher (Bernstein) and a younger-generation sociologist (Wrenn) venture into animal morality and rights. The topic is very old: German Pietist ethics („the co-existence ethics“; *Ethik der Mitgeschöpflichkeit*), just for instance, expects for the „re-born“ (*Wiedergeborene*) a pityful and loving (*barmherzig und liebevoll*) behaviour toward animals.<sup>1</sup> Even if old, the topic, however, also is quite hot: in 2012, the Berlin “zoophiles” fiercely opposed the German law banning sex with animals. For bioethicists outside Georgetown, animal ethics has always been a part of bioethics, not narrowed-down to the issues of biomedicine and research, but interested in all forms, matters, aspects, and phases of life. Those ideas were also advocated by Fritz Jahr (1895-1953) and Ignaz Bregenzer (1844-1906).

In his paper entitled "Der Tod und die Tiere: eine Betrachtung über das 5. Gebot"[Death and animals: considering the Fifth Commandment],<sup>2</sup> published in

1 Christian Adam Dann and Albert Knapp, *Wieder die Tierquälerei: frühe Aufrufe zum Tierschutz aus dem württembergischen Pietismus*, edited by Martin H. Jung (Leipzig: Evangelische Verlagsanstalt, 2002), 113.

2 Fritz Jahr, “Der Tod und die Tiere: eine Betrachtung zum 5. Gebot,” *Mut und Kraft* 5, No. 1 (1928): 5-6.

the *Mut und Kraft*<sup>3</sup> journal in 1928, Jahr poses the question whether animals are really so close to be viewed as equal, to enforce his positive answer, Jahr quotes the Prophets, St. Francis of Assisi, M. Luther, F. Schleiermacher, German law forbidding animal torture, and other sources. The issue of animal protection is extended onto the next Jahr's paper, entitled "Tierschutz und Ethik in ihren Beziehungen zueinander" [Animal protection and ethics in their mutual relationship],<sup>4</sup> which appeared in 1928 in the *Ethik: Sexual- und Gesellschaftsethik* journal (favoured by Jahr). Here, Jahr's argumentation departs from the thesis that compassion with animals results to be a "phenomenon empirically given to human soul" and the only possible motive of animal protection (which makes feeling the obvious influence of A. Schopenhauer). Jahr, nevertheless, also asks whether the expanding of our duties toward animals necessarily leads to the neglect of our duties toward our closest ones. Jahr's answer is: if such thing occurs, then it is a consequence of a "wrongful love toward animals" (*falsche Tierliebe*). Unusual for his time, Jahr claims that "the one whose love is so huge to transcend the limits of the only-human" (*über die Grenzen des Nur-Menschlichen*), will not feel restrained to love toward only one social class, association, or a political party.<sup>5</sup>

The sources used by Jahr for shaping his animal ethics were numerous and heterogeneous, but some of them seem to have been more important and, obviously, influenced Jahr's ideas much more. To that particular group, certainly Ignaz Bregenzer has to be ascribed. He authored the comprehensive book *Thier-Ethik: Darstellung der sittlichen und rechtlichen Beziehungen zwischen Mensch und Thier* [Animal ethics: a presentation of moral and legal relations between the man and the animal],<sup>6</sup> quoted also by Fritz Jahr, as well as the study "Thierisches Sittlichkeits- und Rechtsgefühl" [Animal sense of morality and justice].<sup>7</sup>

In those works, Bregenzer primarily stands against all extreme, radical attitudes, independently whether they are directed toward „wiping differences between humans and animals“ or claiming that emancipation would „harm“ animals. Bregenzer thinks that the feeling (*Gefühl*) be the base for all mental processes, in humans as well as in animals, and he denies the intellect the importance in moral reasoning. According to Bregenzer, reason is crucial for the development of arts, science, technology, and

3 A journal published in Halle, by Hallische Nachrichten, from 1924 until 1941.

4 Fritz Jahr, "Tierschutz und Ethik in ihren Beziehungen zueinander," *Ethik: Sexual- und Gesellschaftsethik* 4, No. 6-7 (1928): 100-102.

5 Cf. Iva Rinčić and Amir Muzur, "Fritz Jahr: the invention of bioethics and beyond," *Perspectives in Biology and Medicine* 54, no. 4 (2011): 550-556.

6 Ignaz Bregenzer, *Thier Ethik: Darstellung der sittlichen und rechtlichen Beziehungen zwischen Mensch und Thier* (Bamberg: C. C. Buchner, 1894; reprinted in 2012).

7 Ignaz Bregenzer, „Thierisches Sittlichkeits- und Rechtsgefühl,“ *Deutscher Tierfreund* 5-6 (1901): 1-41.

culture, but not of happiness – on the contrary. He rejects the idea that animals are „reflex automata“ without soul, advocated by Descartes and Bethe, as well as von Hartmann’s advocating of human struggle against „harmful and useless animals“ (*die schädlichen und unnützen Tiere*). For Bregenzer, as well as for some other authors, the instincts are the base for morality, and therefore, animals must be capable of the development of moral.<sup>8</sup>

It is pity that both Bernstein and Wrenn, probably because of the language barrier,<sup>9</sup> ignore Fritz Jahr’s and Ignaz Bregenzer’s works and ideas: even if seemingly outdated, both authors might have strongly supported Bernstein’s and Wrenn’s advocating of a “new animal ethics.”

**Iva Rinčić**  
**Amir Muzur**  
**Sandra Mijač**

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8 Cf. Iva Rinčić and Amir Muzur, *Fritz Jahr i rađanje europske bioetike* [Fritz Jahr and the emerging of European bioethics] (Zagreb: Pergamena, 2012), 71-76.

9 In support of this, the more recent literature in German has not been included in Bernstein’s or Wrenn’s considerations either. Cf. Jan C. Joerden and Bodo Busch, eds., *Tiere ohne Rechte?* [Animals without rights?] (Berlin/Heidelberg: Springer, 1999).