

Commentary: Other Animals as Kin and Persons Worthy of Increased Ethical Consideration

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Humans harm multitudes of other animals in their research. This harm is sometimes rewarded with benefit to humans. However, increasingly, we are aware that many of the benefits are not as large, consistent, or effective as was previously thought.¹ It is clear, as the target article's authors point out, that there is ideological bias amongst some researchers, and a broad fear of illness and death in the general public, motivating the prioritization of human interests over the interests of other animals. There is also an opposite ideological bias on the part of some scholars and a growing segment of the public against any use of other animals as research subjects. Navigating between these two camps enables the development of better, more ethical, standards for, and assessments of, human use of other animals in research. This is exactly why a "Belmont Report for Animals" is necessary. Such a report might offer a better roadmap between the two extreme positions that is (a) attentive to contemporary scientific understandings, (b) cognizant of the serious harm and suffering our research imposes on other animals, and (c) able to encompass diverse ethical perspectives, weighing both human-centric and other animal-centric needs as a dialectic not wed to a single outcome or resolution.

I agree with the authors when they suggest that the 'three Rs' are no longer sufficient as the guiding ethical framework in animal research. Our knowledge of social and physiological plasticity of many organisms used in research, and the contingent and contextual nature of behavioral and physiological expression in regards to captive enclosures, treatment, and life histories, must inform our use of other animals as experimental subjects.² Today, a majority public, and much scientific, opinion favors serious reappraisal of using other animals for experimentation, and pushes strongly against the assumptions that the simple measure of 'benefit' for humans is sufficient ethical evidence for animal research.

For me, the most important contribution in this proposal is the broadening of the Belmont concept of 'respect for persons' to include other animals. There are two anthropologically salient aspects that we should take under consideration here: a broadly construed notion of 'kinship' and the strong possibility that other animals can be, or should be, seen as persons.³

The writer Armistead Maupin tells us that we live in a world filled with both biological kin and logical kin. He refers to those kinship relations that we are born into as biological, and those that we choose, construct, and nourish, as logical. In anthropological and multispecies studies circles, the analytical distinctions that define kinship are being unsettled by examples that expose the simultaneous configuration of biological and social, natural and cultural kin relations as normative in human endeavors.⁴ Humans make kin in part via biology but more generously via creativity and commingling, processes whose effects are felt within and beyond biology. Recently, a range of theoretical approaches clarifies that offering only one definition, either that kinship is culture or that it is biology, is insufficient. It may be more fruitful to explore how, within particular multispecies relations, kinship

troubles and transcends these analytical distinctions.⁵ If kin are those closest to us in space, time, and flesh, then kinship, by definition, is a multispecies endeavor. Limiting kinship to the biological or social, or to the human, may be an intellectually insufficient stance. The more accurate position may be to illuminate the multiple processes and outcomes of kin relations that challenge 'settled' categories of life, and that generate new possibilities for living, being, and becoming with other species.⁶ Taking kinship in this context, and the fact that many humans see and treat other animals as kin, offers us a broader landscape of ethical and moral possibilities that, I suggest, bear directly on the considerations of the use of other animals in research.

There is a robust discourse about the possibility, and reality, of persons aside from human persons. What western science recognizes as an anatomical, physiological, and evolutionary similarity between humans and other animals (a core infrastructural justification for using them in research), other societies recognize as a fundamentally deeper connection. In some cases, this connection is specifically conceived of as overlapping personhood.⁷ For example, in much of the Amazonian world diverse personhoods are inferred via varied forms of descendancy, the process of consumption and ritual endocannibalism, and kinship through adoption of infant other-animals and their inclusion in human communities. Some societies deliberately make communities comprised of persons from multiple species.⁸ Societies with these different conceptualizations of personhood offer some insight into the range of ethical and moral relationships humans have to other animals. In such contexts Philippe Descola maps ontologies different from the Euro-centric standard one, which results in dynamically different relationships with other species, including, but not limited to, multiple species as persons.⁹ In a range of human societies across the planet, multiple ontologies arise that produce different landscapes and basal assumptions for encounters and relations between humans and other animals, fundamentally expanding and altering understandings of selfhood, personhood, nature, and culture.

This deviation into anthropological theory is a necessary step in thinking with and about persons other than humans. It is becoming an increasingly common view in anthropology, some evolutionary perspectives, and some fields of animal behavior, that many, but not all, other-than-human organisms exhibit the range of cognitive, empathic, perceptual and individual personalities that qualifies them for a philosophical definition of person. Also, many non-Eurocentric/Euro-derived cultures have and do accept the existence of multiple persons beyond the human, often drawing on different conceptualizations on some of the same criteria as contemporary scientific assessments of shared adaptive trajectories (cognitive capacity, empathy, personalities, etc.). Thus, it is both a scientifically and culturally valid perspective to include the possibility of other animals as persons in the assessments of our obligation to them in regards to their use in research. I agree with the authors of the target article that the respect for animal persons should be a foundational element in assessing the value, rights and ethical considerations of animal research.

However, I am not in accord with all of the possibilities proposed in this new 'Belmont' conceptualization. In my perspective, one of the most problematic elements of this project is the assumption that there may be some manner of developing 'informed consent.' It is clear from a basic behavioral assessment (e.g., given the choice to participate in research via physical capacity to move away) most

animals in most research contexts would not consent (e.g., stay put and subject themselves to the procedures). Avoidance of identifiable harm is ubiquitous feature of mobile organisms (even some sessile ones). I suggest that ‘informed consent’ is not feasible as an accurate measure for other animals. We must accept that we cannot communicate sufficiently to any other organism the risks and harms we seek to subject them to. We coerce other animals to comply with our research endeavors; and the majority of animal research does some form of harm to the subjects. All researchers must face this reality as the primary hurdle of a research proposal, and decide if such action fits within their ethical universe.

Two other problematic issues also emerge in this envisioning of a new “Belmont” proposal: the comparisons of animals to human vulnerable populations, and the suggestion of the use of surrogate decision makers for other animals.

I do not support the use of human children (or incarcerated humans) as an analogy for the positionality of other animals. The social, political, historical and philosophical contexts that affect, create, and structure the realities of human children, prisoners, racialized minorities, and other vulnerable human groups, are not the same as those that structure the situation of other animals. Such comparisons run the risk of increasing the vulnerability of these human populations already at risk to processes of oppression, abuse, and dehumanization. Critical aspects of human evolutionary, cultural, and historical processes are distinct from those of other organisms.¹⁰ By definition, evolution is characterized by both continuities and discontinuities. We are all familiar with the continuities between living things, especially those closely related lineages. However, humans, like all organismal lineages, have distinctive histories and trajectories, making some comparisons to other organisms invalid. In my view, one need not rely on facile analogies between humans and other animals to validate animals’ value or to demonstrate their vulnerable condition. The fact that other animals often meet the conditions of personhood, and that they suffer in ways we can identify, measure and assess, should be a sufficient ethical quandary to warrant the reappraisal called for here. Other animals need not be presented as equivalent to vulnerable human persons to warrant ethical consideration; such a process obfuscates and simplifies the complexities and processes involved in human societies and histories.

On the issue of surrogate decision makers, I am unconvinced that we (humans) can create reliable criteria, and convey them to other organisms, in order to act as legally and ethically just surrogates beyond simply drawing on human ideology and perception and acting accordingly. We can advocate for what *we* think is good for other animals, but we cannot speak for other animals, only for ourselves.

The authors offer the key problem we face when they state “the respect for the autonomy and vulnerability of animals would require respecting their freedom and choices to the extent that they are capable of asserting their decisions and we are capable of understanding their choices.” As I noted earlier, most organisms, given the choice, would not subject themselves to discomfort, distress, or harm caused by humans. Given human technological capacities, structural impact on the globe and overall numbers, we can almost always coerce other animals to subject to our whims. So, the real issue is not whether animals seek to avoid harm (they do), or whether they deserve our respect and sincere ethical engagement (they do). The issue is simply how we, humans, are going to decide what is ethically acceptable for *us* to do to other animals. And, in all likelihood, that is going to boil down not to actual engagement with the intrinsic ethical value of other

organisms, but to the decisions humans make about what kinds and extent of harms to others are worth some possible benefits to us. This is exactly why we need more rigorous assessment tools and guidelines to offer the researchers making such decisions.

There is indeed a need for Belmont Report for Animals. We are now fully aware of the harms we cause and the benefits we do and do not derive from those harms. We humans are gifted with distinctive cognitive, social, and empathic abilities that give rise to a capacity for extensive ethical possibilities. As a scientist, I will not deny the benefits we've accrued from harming other animals, but equally as a scientist, I cannot negate the reality that our benefits from harming others are both decreasing and fraught with serious ethical and moral costs. As a human, I empathize with many other types of persons and recognize that my stance on the use of other animals is complicated and deeply emotional, influenced by a multitude of variables. This is exactly why we are in need of a serious and global reassessment of how, why, and whether we harm other animals and a better roadmap for navigating that landscape.

Notes

1. Ferdowsian H, Fuentes A. Harms and deprivation of benefits for nonhuman primates in research. *Theoretical Medicine and Bioethics* 2014;35(2):143–56. See also Ferdowsian HR, Gluck JP. The ethical challenges of animal research: Honoring Henry Beecher's approach to moral problems. *Cambridge Quarterly of Healthcare Ethics* 2015;24:391–406. See also Ferdowsian H, Johnson SM, Johnson J, Fenton A, Shriver A, Gluck J. A Belmont Report for animals? *Cambridge Quarterly of Healthcare Ethics* 2020;29(1):19–37.
2. For the example of monkeys, see Ferdowsian, Fuentes 2014.
3. Here I am explicitly not making an argument for legal personhood that has come to be common recently. The legal realm is a separate context and set of assertions from the one I present here.
4. Fuentes A, Kinship Porter N. In: Gruen L, ed. *Critical Terms for Animal Studies*. Chicago, IL: The University of Chicago Press 2018;182–96.
5. See note 4, Fuentes, Porter 2018; and Fuentes A. Holobionts, multispecies ecologies, and the biopolitics of care: Emerging landscapes of praxis in a medical anthropology of the Anthropocene. *Medical Anthropology Quarterly* 2019;33:156–62
6. Haraway D. *When Species Meet*. Minneapolis, MN: University of Minnesota Press; 2007. See also Haraway D. *Staying with the Trouble: Making Kin in the Chthulucene*. Raleigh, NC: Duke University Press; 2016.
7. Cortez A, Fuentes A. Of primates' bodies: Forms of human-other primate intercorporeality. In: Ohrem D, Calarco M, eds. *Exploring Animal Encounters*. Palgrave Studies in Animals and Literature. New York, NY: Palgrave Macmillan; 2018:233–52. See also Cormier LA. *Kinship with Monkeys: The Guajá Foragers of Eastern Amazonia*. New York, NY: Columbia University Press; 2003. See also Descola P. *In the Society of Nature: A Native Ecology in Amazonia*. Cambridge, UK: University of Cambridge Press; 1994. See also Descola P. *Beyond Nature and Culture*. Chicago, IL: The University of Chicago Press; 2013. See also Fuentes A. Naturecultural encounters in Bali: Monkeys, temples, tourists, and Ethnoprimateology. *Cultural Anthropology* 2010;25:600–24; Kohn E. *How Forests Think: Toward an Anthropology Beyond the Human*. Oakland, CA: University of California Press; 2013; Locke P. *Multispecies Methodologies and Human-Elephant Relations*. Engagement Blog 2015; available at <https://aesengagement.wordpress.com/2015/10/27/multispecies-methodologies-and-human-elephant-relations/> (last accessed 1 May 2019); Nadasdy P. The gift in the animal: The ontology of hunting and human-other animal sociality. *American Ethnologist* 2007;34:25–43; Viveiros de Castro E. Cosmological Deixis and Amerindian Perspectivism. *The Journal of the Royal Anthropological Institute* 1998;4:469–88.
8. See note 7, Kohn 2013.
9. See note 7, Philippe 2013.
10. See, for example, Fuentes A. How humans and apes are different, and why it matters. *Journal of Anthropological Research* 2018;74:151–67.