



Presidenza del Consiglio dei Ministri

NATIONAL BIOETHICS COMMITTEE

**BIOETHICS AND VETERINARY SCIENCE. ANIMAL WELL-BEING
AND HUMAN HEALTH**

30th of November 2001

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Introduction

The development of ethical reflection from humans to all living creatures is one of the most interesting and controversial aspects of the philosophical and scientific debate of the last decades, and it also implies practical consequences both in personal behaviour, and in political and legal decisions. Despite the contrast between opposing views, one anthropocentric, insistent on the absolute peculiarity of human relationships, and the other tending towards reducing or cancelling the distinction between different animal species, the idea that man participates in the universe of life as a part of nature has arisen. To this, we need to add the awareness that man's actions affect the globe and the times of biological transformation more than ever, modifying, creating and destroying other living species, and, with this, altering that same balance that led to his existence and evolution as the largely dominant species. From this follows his responsibility towards the present and even more towards the future, which, according to some, must be found in some form of "reflective anthropologism".

The National Bioethics Committee has in the past dealt with some aspects of the relationship between man and other living beings, especially with regards to bioethical trends and animal trials regulations, in particular in the opinion *Animal Testing and Health of Living Beings*, of the 17th of April 1997; in the *Opinion on the Proposal for a Moratorium on Human Xenotransplantation Clinical Trials*, of the 19th of November 1999; and in the *Guidelines for Ethical Committees in Italy*, of the 13th of July 2001.

In the last few years, we have had many requests to widen the topic well beyond this boundary, in order to include every aspect of the relationship between living species. The most interesting, the one that allowed the NBC to move forward and add to a general reflection a precise task, contributing to the preservation and improvement of the well-being of the animals closest to us, came from a profession that has always had this duty: veterinary doctors. Their professional Order, in fact, founded a bioethics Committee a few years ago, starting a reflection on this topic, formulating a deontological Code (which we report in the appendix) and turned to the National Bioethics Committee for a contribution in looking more deeply into the principles and regulations of the issues they encounter in their daily work. This or similar problems regard also many other subjects: all those who have intense relationships with pets for company or necessity (e.g. dogs for the blind and police dogs), with animals who provide an income (breeders, transporters, etc.) or are used for experimentation.

The NBC therefore decided, in October 2000, to start a group ad hoc on the relationship between bioethics and veterinary sciences, considered mostly from the point of view of preserving animals' well-being and of its links to human health. The group's coordination was entrusted to Prof. Luisella Battaglia, who has been competently and assiduously tackling the issue of "animal ethics". Part of the NBC working group were also Prof. Mauro Barni and Prof. Francesco D'Agostino, Prof. Giovanni Incorvati for the Scientific Secretarial offices, and, as experts, Laura Canavacci, Gianluca Giovagnoli, Aldo Grasselli, Donato Matassino, Sergio Papalia, Pasqualino Sentori and Augusto Vitale. The group worked intensely, and twice the set up of its work was discussed during the Committee's plenary meeting. On the 30th of November 2001, finally, the Committee unanimously approved the Synthesis and recommendations. As well as in these, the NBC's contribution is also expressed in the research material, which is the work of specialists with a variety of training and beliefs, which will be published in a separate

booklet. It will also include the documents elaborated by the veterinary bioethics Committee and the text of the veterinary doctors' deontological Code.

Rome, 30th of November 2001

The president
Giovanni Berlinguer

Synthesis and recommendations

1. Guarantor of the respect for the laws aimed at protecting animal well-being, spokesperson of their needs, point of reference for all those who deal with animals, either due to affection or profit, the veterinary doctor is without a doubt a figure of importance. He/she is important in particular with regards to the definition of the specific interests of animals in ethophysiological conditions of normality, and with regards to intervention guidelines in case of a change in their state of health. As such, he/she is called to fulfil a central role by:

- backing guidelines projects on “good practice in veterinary medicine”, for the purpose of defining standard levels of practice that take into account, in different contexts, the new technological potential of intervention and of the importance of avoiding suffering and harm to animal patients;
- recognising the varied relevance of the different factors involved in defining animal needs, in relation to the physiological, ethological and zooanthropological peculiarities of each species;
- taking on new counselling and sensibilisation duties towards those who are entrusted with animal care, for a variety of reasons.

2. Man has duties towards those species that have been subjected to a domestication process and have acquired a state of anthrodependancy. Not only he must respect their philogenetic dispositions, but also take on the responsibility of care in giving them an adequate habitat – in breeding, in hospitality, in management and administration – and in safeguarding their biodiversity.

The respect for animals’ ethological and physiological characteristics should therefore be binding in the choices made about them, and in particular in therapeutic, breeding, hospitality and administration choices.

From the point of view of the animals’ quality of life and produce, it is the NBC unanimous opinion that we need to discourage – just like in the emerging trends of the European Community – highly industrialised zootechnics, in favour of biologically and ethologically sustainable breeding. In addition, we must promote “ethical webs” from production to consumption, through a system of labelling, in order to classify production and zootechnics activities on the basis of qualitative and safety standards, promoting consumers’ health.

The well-being of domesticated animals cannot be supported simply taking into account their physiological, ethological and behavioural needs, as the most important aspect for their well-being rests on the possibility of having a balanced and respectful relationship with human beings.

3. The man/animal relationship must be safeguarded and promoted in order to overcome the concept of animals as “instruments” and in order to perceive in the animal an “other” that has a specific value, its own dignity and, in some cases, an “active subjectivity” in the relationship, in order to contrast the two opposed and unacceptable perspective of anthropomorphism and reification.

These objectives are part of a more comprehensive project of responsible partnership between man and animal, which sees veterinary doctors as global consultants. It is the NBC’s opinion that they must tackle the wide scope of problems presented by

applied zooanthropology, in the different interaction phases or moments. In particular, they should give:

- consultancy finalised to a responsible entrustment, in order to create a close relationship of fairness between the needs of the animals and human resources;
- education/information relative to the behaviour of animals within the family context, in order to promote their well-being, optimising interaction, effectively preventing any type of accident;
- consultancy about animal training, through education and training practices that, far from causing physical or psychological suffering, increase the animals' cognitive and expressive potential;
- a behavioural clinic service, aimed at avoiding situations of difficult cohabitation that can lead to abandonment or to the request of euthanasia;
- coordination of support (pet therapy), zootechnics and didactic projects aimed at improving man/animal interactions (opening, for example, places dedicated to meeting domesticated animals and creating appropriate urban and suburban areas).

4. The transformation of the relationship with animal diversity, requires a new type of veterinary doctor, who, if on the one hand is called to strengthen his/her institutional duties through the definition of a "good practice" code, on the other hand cannot avoid talking those aspects of information and education, which involve both the pet partnership, and zootechnics in the wider sense. Veterinary doctors, in particular, must be educated in the field of applied behavioural sciences (applied ethology, zooanthropology, animal behavioural medicine), for the purpose of recognising well-being parameters and defining stress monitoring sensors. But they must also tackle the issues of animal bioethics and bioethics applied to veterinary sciences, in order to evaluate the moral relevance of animal welfare and to start a debate, also at the social level, on the choices and trends that guide our behaviour towards other species. Because a bioethical training is necessary for all health personnel, as specified in the Agreement Protocol between the Health Ministry and the National Bioethics Committee (2nd of March 2001), it seems desirable, in veterinary medicine:

- a. the creation of multidisciplinary bioethics committees representing animals, aimed at promoting both a progressive interpretation of the laws in force with regards to the protection of animal well-being, as well as a more in depth ethical and deontological reflection from the veterinaries;
- b. the strengthening of animal protection multidisciplinary committees, supplemented by specific animal welfare representatives (just like the ethical committees for the evaluation of clinical trials protocols in human medicine);
- c. the promotion of research:
 - on the alternative use of the use of animals in clinical trials, through both laboratory methodologies and computer simulations;
 - on the phenomenon of domestication and its historical-social implications;

- on animal well-being;
 - on the cognitive capabilities of the various species;
 - on the bioethical issues linked to zootechnics (biocultural ethics) and the management of wild fauna both living free and in captivity;
 - on the eventual use of biotechnologies for the repopulation of animals facing extinction;
- d. the promotion of formative activities (seminaries, conventions, professional courses, master courses, etc.) aimed at increasing the professional level of all those involved, in various ways, in production and research activities with animals;
- e. the creation of university curricula teaching bioethics;
- f. the integration and understanding between competent Ministries (in particular, Health, Education, Environment, Social Affairs, Agriculture) for the training and sensibilisation towards bioethical issues, with specific reference to the correct treatment of non-humans and to the pursuit of an harmonious and respectful relationship with all living beings.

Bioethics and veterinary sciences

The growing contemporary focus on the “animal issue” in bioethics can be considered the result of a new culture of respect, which requires a more responsible attitude of the human species towards other species, as well as a growing awareness, within the various sciences, of the ethical problems linked to scientific research. Science refers, in its exercise, to ethical problems, one of the crucial points from which bioethics originates is the tension between the feasible and the faciendum, between technical possibility and ethical legitimacy.

The link of the last decades between animal issues and bioethical reflection contributed to raising some unavoidable questions about animals’ nature and their relationship with man. The NBC is aware of the complexity of the ethical and, more in general, philosophical issues in this matter and it certainly does not expect to be able to resolve them in this document, but to formulate them correctly, starting with what we believe is the most important problem we must tackle: the moral status of animals. Are animals part of the sphere of morality or not? And if yes, for what reason? Some doctrines, from the perspective of an interspecies equality, see non-humans as full moral subjects, who have rights or interests worthy of consideration. Others exclude them from the moral world, denying any – direct or indirect – duty of man towards “brutes”. Other doctrines, instead, although they recognise man’s “supremacy” over animals, see such supremacy as a sign of responsibility and not of mere power and consequently deny that it leads to or, even worse, justifies cruel, violent practices towards animals. From this perspective, some love to talk of man’s responsibility towards beings considered “moral patients”, passive consignee of our duties.

Strictly linked to the issue of animals’ moral status, is the one concerning the nature and assessment of animal suffering: we must, on the one hand, give this a definition as much as possible unambiguous, not tainted by anthropomorphic prejudices, one that

avoids both pathetic fallacy – the attribution of human characteristics to the non-human – as well as mechanic fallacy – the diminution of animals to machines. On the other hand, we must determine its meaning from an ethical point of view.

The controversy is open between scientists as well as ethicists. They are divided between those who, despite believing that suffering is a relevant fact, do not consider it to be decisive from an ethical point of view and give a variety of reasons for this (the different ontological status between man and animal, the different complexity of their lives, etc. – all answers that are supported by a widespread tradition in our culture, which looks at animals as human beings' instruments) and who, instead, pressed also by scientific data, is pushed to revising these categories and believing that is treating animals as subordinate to man or, worse, considering them as automatons devoid of sensitivity, an ethical atavism (even in this case, there are a variety of possible options, from asserting animal rights to recognising duties or responsibilities towards them).

From the debate about animals emerge, as it is easy to see, wider and more radical questions of philosophical ethics, which involve our role and our image. In general, we must observe that there are no philosophical theories yet, adequate to the complexity of an issue that goes well beyond explicitly bioethical, specific topics – like animal testing, the patentability of living beings, etc. – and invests the wider question of our relationship with the non-human world and our idea of diversity. From this, the awareness that it is not possible to answer precise questions on this topic without first tackling those regarding, on the one hand, the reasons and values which make us feel authorised to dispose of non-human lives and, on the other hand, the idea of science itself as finalised knowledge, on the objectives, methods and strategies of which we must reflect in terms of an ethics of responsibility.

With regards to this, we must highlight the lack of a reference frame that takes sufficiently into account the implications, from an ethical point of view, of the “Darwinian revolution” and of the results of difference sciences – like, for example, ecology and ethology – in order to question the new image of man that has emerged.

In contemporary moral philosophy, with regards to the relationship between man and animal, we face a chaotic collection of theories and doctrines extrapolated from traditional human ethics and applied, more or less convincingly, to the new problems of a possible animal ethics: from utilitarianism in its various forms, to theories of natural rights, to interspecies contractualism, and its relevant arguments: assessment of costs/benefits, usefulness of the higher number, calculation of preferences, individual rights, contract model, etc. For this reason, if the start of an in depth analysis of the main trends in this topic represent a necessary premise to the current debate, it seems however indispensable to link it with a systematic reflection capable not only of identifying possible areas of agreement and compatibility or coming up with assessment criteria for the different scientific or practical “uses” animals are destined to (within a problematic culture of exploitation) but that aims to identify the ethical categories on which to found a new relationship.

This ambition has been answered with the so-called “animal liberation ethics” in its most accredited versions: Peter Singer’s utilitarian one and Tom Regan’s jusnaturalistic one – which is part of a wider movement of emancipation, of progressive widening of the moral frontier to other subjects – that movement in which, in the history of European civilisation, dignity and rights have been recognised to groups that, because of their nature, seemed excluded from them. However, some crucial questions are still largely unanswered: to what extent does this analogy hold? Within what boundaries is the principle of moral equality, originally conceived for man and legacy of the modern theory of justice, applicable to other subjects? At this point we should ask ourselves if, once this principle has been extended beyond the walls of the city of man, in the interspecies sense,

we have exhausted all the possible moves of reason to recognise a moral status to non-humans. In other words, can interspecies equality truly be considered the most adequate postulate in extending the boundaries of the moral community to the limit of the sentient or are there other argumentative strategies capable of substantiating precise theoretical foundations of animal ethics?

Maybe the moment has come to escape narrow conceptual grids, to look for more flexible reference frames, to follow different and new avenues, avoiding in particular the recourse to procedures of abstract generalisation to widen the domain of morality.

An alternative reflection, more articulated and complex, closer to the experience of our relationship with the animal world and capable of providing us more appropriate reflection and deliberation criteria, could be the one that, moving from a very general principle of environmental precaution and from a general principle of responsibility towards the entire animal world, focuses, with regards to the animal issue in veterinary sciences, on a scientific and operative perspective centred on the idea of care, one of the main topics of western tradition starting from its Hebraic-Christian roots.

The ethics of care is probably the most significant field of philosophical-moral research of our time. In it, fundamentally religious perspectives cross and overlap at least in part, like Emmanuel Levinas', and laically matured perspectives within new theoretical preoccupations emerged in the last years in women's thinking. The NBC believes that bioethics can learn from these new trends of thought, in particular with regards to issues like the relationship between man and animals.

In the general sense, with the expression taking care we call to mind a variety of meanings which all seem to refer to an attitude of fundamental availability towards others, an attitude born out of the recognition that there's an essential and basic interdependence and it translates in a serious commitment to understand the real situation of need and to take it on responsibly.

Care could therefore be defined as concern for the fate of another being (similar to the "altruistic fear", of which Hans Jonas writes, explaining that it is a manifestation of apprehension for the vulnerability and fragility of other beings, a preoccupation for any threat to their existence) supported by a knowledge, as wide as possible, of their reality, of their experiences, of their needs. The different meanings of care share therefore a fundamental element: the preoccupation for the well-being of others.

In effect, we cannot sensibly say to be taking care of someone if we are not prepared to understand, respect, worry about him/her, to personally look after his/her well-being, to work to reduce, as much as possible, the suffering he/she can be subjected to, in particular if the individual in question does not know how to or is incapable of doing so.

Discovering the cause of a living being's suffering and how to answer his/her needs requires, first of all, attention in the profound sense expressed by Simone Weil: "to be attentive is to be open to illumination".

Attention, in revealing the other, also reveals the existence of an asymmetry of strength and power and, therefore, forces me to face a responsibility and duties that I could not see before but that I now feel I am called to answer, without the depersonalised scheme of a role or an institution. In this way, a typical element of the ethics of care emerges: asymmetry, that is, my being responsible for the other, for his/her welfare and well-being, without expecting anything in return. The other calls to me and forces me to an indisputable and asymmetric responsibility – the ethically higher one – so that reciprocity does not and can not exist.

In current times, the tradition that has indelibly marked ethical-political thought is the one for which the essential terms are social contract and individual rights and for which the philosophical background is inspired, fundamentally, to a liberal and atomistic model. This model – which historically acquired many merits and certainly possesses great qualities –

seems however to overlook many dimensions of existence. In particular, as some authors highlight, it risks ignoring the variety of relationships with which people take on the responsibility and care of others, and it also does not know what to do with the feelings of fraternity and compassion.

Reciprocity, looking at it, is valid in exchanges between equals and corresponds to the contract philosophy, but taking responsibility, in its deepest sense, goes beyond any assessment of this type. If we consider reciprocity a thread of ethical reflection, we can – going beyond the human sphere – recognise the proximity of the silent look that talks to us and directly appeals to our moral conscience (little matters what species it belongs to), in an encounter with the other that verifies our justice towards him/her without any expectation of recompense.

In its most general traits, an ethics of care is different from an ethics of rights because it emphasises connection instead of separation and because it gives priority to the relationship with others rather than to the rights of single individuals. From this point of view, life – intended as a web of relationships we all belong to and from which we all derive – is safeguarded by actions of responsible care and is based on a correlation of interdependence instead of a contract between equals. Caring for others involves, therefore, an image of relationships in human existence that, as well as creating a bridge between moral and politics, allows a strong link between well-being and justice.

If the duty of bioethics is to rationally clarify the abovementioned relationship of essential and fundamental interdependence between living being, an approach inspired to an ethics of care must involve a reconsideration of our relationship with non-human living creatures and, most of all, a radical rethink of the culture of despotism.

As we read in the National Bioethics' Committee document on Animal testing and health of living beings:

“The awareness that western culture, to which we owe the overwhelming and probably irreversible dissemination of the “scientific view of the world” (but some would also say: the human world tout court), has a great debt towards non-human living creatures and animals in particular, which, probably, will never be exhaustively extinguished, is by now extensively and justly widespread. The objectification, actually, the thingification of non-human living creatures and what, with a maybe emphatic but not incorrect expression, we could call their ontological humiliation, has accompanied and supported – until recent times – the progress of the modern vision of the cosmos, creating not only a real ideological deformity with regards to the importance of a variety of eras – most famously the Cartesian one – but also in our collective conscience, a cold, disenchanted, violent and, in the best of cases, undeservedly reductive attitude towards any form of life different from ours.”

The growth of information on animal life has raised important questions about the confines of our moral universe of reference. The need to revisit and redefine some crucial concepts (life, existence, person) has presented itself within a process that has seen bioethics involved in promoting a multidisciplinary reflection on the conceptual and legal implications of our ethological knowledge.

In a historical and cultural time in which many barriers between species have been reduced and even language is increasingly less of an obstacle to interspecies communication (we are able to interpret signals, to decipher messages, to decode sounds, to understand the behaviour of other living beings), we have matured a new awareness.

“We all feel, and bioethics seriously engages with it – we still read in the abovementioned document -, that it is necessary to discard this undeserved [Cartesian] paradigm for a variety of reasons: from strictly epistemological ones, which reveal their theoretic fragility, to those more specifically ethical, denouncing their intolerable position of arrogance and cruelty, if not of sadism, which inevitably follows. But naturally the journey

to undertake is still extremely long: not only because we must free ourselves of ideas that are so crystallised in our consciences that they still seem, to many, absolutely self-evident but mostly because we must reassess from their roots any kind of relationship with non-human living creatures, avoiding jumps forwards as well as prejudicial points of view that are always part of those eras in which a conceptual horizon is in crisis and asks to be seriously rethought, reformulated and adequately corrected.”

Is a theoretical approach inspired to the idea of care states, as we have highlighted, the importance of recognising the web of interconnections that joins all living creatures, communicating with them and reinforcing such bonds, it can be the foundation of the recognition of our duty to consider ourselves responsible towards other creatures – starting with those in an extreme conditions of destitution and vulnerability – on the fact that we are in a relationship of interdependence, expressed through care. Not only. In an ethics open to the community of the living, the non-reciprocity seems the rule. In fact, how can animals reciprocate? Their inability to reciprocate does not appear, on the other hand, a valid argument to justify their exclusion from our moral universe. If non-humans inhabit the ethical world we also inhabit, we cannot use the old conceptual positions demanding a reciprocity of rights/duties, which belongs to rational human subjects.

The access of non-humans to the ethical territory, therefore, reintroduces asymmetry as one of the essential dimensions of the moral discourse – an often overlooked dimension, because of the prevailing contractual model and the paradigm of rights. Asymmetry highlights the gratuity of ethical behaviour, of not expecting anything in return, the overcoming of the logic of transaction.

This attitude, which necessarily involves the refusal of the culture of despotism, can have its roots in a theocentric vision – in which man and animal are both creatures united, despite their ontological and axiological diversity, by their condition and part of an order in which man is a custodian, certainly not an owner - as well as in a vision inspired to a reflective anthropocentrism, which – through an extension of ethical responsibility from the world of people, to the world of those beings who will enter it at their birth, up to the world of animals – gives moral value to the entire sphere of the living, and arrives to a transpersonal position through a personalistic perspective.

The decisive point is that in this encounter animals are not “anthropologised”, through an artificial and in any case always unwarranted process, both from an epistemological and an ethical point of view. In fact, it is not a question of their conscience or self-conscience but only of my conscience as a moral agent. In this way, it seems possible to not having to limit to the human world the encounter with those others who appear fragile and vulnerable, appealing to recognition.

The ethics of care, to synthetically summarise what has been said:

- a. insists on the needs (and not only on the interests);
- b. attributes crucial value to compassion;
- c. insists on the centrality of the issue of dedication (instead of that of performance);
- d. stresses the concept of responsibility (and not that of rights);
- e. does not involve reciprocity (in opposition to the correlation rights/duties).

For these reasons, it seems particularly appropriate for a bioethical paradigm of relationships with the non-human world. It is about elaborating a strong and constructive interpretation of the concept of care, not as a simple appeal to good feelings or as an idyllic vision that does not take into account man’s “wolfish nature”, but as responsible commitment towards other beings, human and non-human, considerate to the unavoidable issue of interspecies conflicts, capable of establishing the necessary and insurmountable ethical boundaries, aimed at directing and regulating our relationship with the living world.

The call to bioethical responsibility cannot, in this way, leave aside the concrete and firm commitment to find an increasingly more adequate connection with the creation of laws in defence of animals.

The reflections presented so far must be considered as the background to the considerations and evaluations offered in this document.

The topic the NBC wanted to tackle is not, in fact, that, extremely general, of our relationship with the non-human world but that, much more limited, of the interdisciplinary relationship between Bioethics and veterinary sciences. From the perspective of quality of life, to be interpreted in the global sense, the subtitle – Animal well-being and human health – wants to stress the need of preventing an overall evaluation recognising the indissoluble complementarity between preoccupations relative to the protection of animal well-being and to the safeguard of human health.