Corporate Responsibility, Ethics, and Animal Welfare

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Corporate Responsibility, Ethics, and Animal Welfare

By
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A Thesis Submitted in Partial Fulfillment of the Requirements

For the Degree of

A Master of Arts in Organizational Leadership

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Abstract

Do organizations that keep wild animals in captivity owe them moral consideration? This thesis provides a historical overview of the moral consideration provided to animals and analyzes present-day philosophical writing. The representative contemporary ethical frameworks include utilitarianism, relational theory, animal rights theory, and coherence theory. Studied are issues of anthropocentrism, sentience, and equal consideration. Discussed are the ethical defensibility of zoos, aquariums, circuses, and canned hunts under the contemporary ethical frameworks, and in relation to these issues.
Purpose of Proposed Research

Effective leaders are always learning and growing. Through continuous study and evaluation of different perspectives, we have the opportunity to clarify our values and principles. In turn, our values and principles drive our daily decisions and shape our integrity (Kouzes & Posner, 2007). As I moved through my own study of leadership and ethics in the Master of Arts in Organizational Leadership (MAOL) Program at St Catherine University, I became increasingly aware of the lack of moral consideration extended towards animals. This awareness came about primarily as the result of two papers that I authored as part of the MAOL program. These research papers are "The Captive Wild Animal Crisis," a position paper completed during ORLD 6300 Strategic Communications, and "The Ethics of Wild Animals in Captivity," a research paper completed in ORLD 7100 Professional and Organizational Ethics. As a result, my Master’s thesis will focus on animal welfare and specifically the moral obligations owed to captive wild animals.

I have always had an interest in wild animals. As a long-time volunteer at The Wildcat Sanctuary in Sandstone, Minnesota, I witnessed first-hand how failed leadership can have unintended consequences on both the resident animals and the surrounding community. On April 23, 2014, the Minnesota Attorney General’s Office completed their investigation into allegations that the founder and executive director of the sanctuary committed embezzlement and fraud. In addition to the upheaval created by the investigation, some employees were fired and many volunteers dismissed by the board of directors. The board of directors was clear in their dismissal letter to the impacted volunteers: anyone questioning the business practices of the sanctuary was no longer
welcome. While there have been no allegations of animal mistreatment, the sanctuary operations are under stress, which in the end does not benefit the 100+ sanctuary residents (Swanson, 2014).

The failed leadership at The Wildcat Sanctuary highlights numerous problems of wild animals in captivity: lack of infrastructure to absorb the residents should the sanctuary fail, risks to the surrounding community having a captive wild animal facility in operational turmoil, risks to the remaining staff providing care to the cats, and risks to the cats that lack continuity of care.

This is not the only recent news story regarding corporations and animal welfare. The euthanasia and public slaughter of an 18-month old giraffe named Marius at the Copenhagen Zoo sparked a worldwide protest on social media sites and death threats directed towards the Danish zookeepers. Because Marius’ genes are well-represented in the breeding program governed by the European Association of Zoos and Aquaria, the zoo publicly slaughtered the giraffe and fed him to the resident lions. The zoo explained their rationale to cull the herd, to maintain genetic diversity and to educate the public via the slaughter and feeding, but that did not calm the public protests. During the weeks leading up to the slaughter, there were online petitions and campaigns to save the giraffe, but they did not come to fruition (Abcarian, 2014).

Recently, the movie Blackfish (CNN & Cowperthwaite, 2012) put the living conditions of a 12,000 pound orca whale named Tilikum into the spotlight. The living conditions of Tilikum sparked public protests at SeaWorld and nine musical acts cancelled their concerts as well (“First SeaWorld,” 2014). Supporters of SeaWorld, including former and existing trainers, provided evidence that Blackfish has numerous
misrepresentations of Tilikum's care (Parker, 2014).

These stories reveal the complexities of this topic. As a result, I will study theories of animal ethics and their application to wild animals in captivity.

It might be argued that animals are not entitled to moral consideration and it is acceptable to use animals as a form of entertainment. For example, the captive orcas at SeaWorld exist and are bred to provide entertainment to the public; there are no examples where a captive-bred orca was successfully released into the wild and scientific study on captive orcas has limited to no applicability to wild orcas. It may also be argued that benefiting the species is paramount to any moral consideration being granted to the individual animal, as in captive breeding programs of the European Association of Zoos and Aquaria. In this thesis I will analyze these positions under four ethical frameworks – utilitarianism, relational theory, animal rights theory, and coherence theory - to assess the moral consideration given to captive wild animals in each case.

As an animal lover, I follow numerous animal welfare issues and volunteer my time to local organizations. I am contemplating a career change into an animal-related field; my interests lie with legislation governing the welfare of captive wild animals and addressing gaps in the Animal Welfare Act. The captive wild animal crisis is a complex topic with many ethical considerations, and this research is an opportunity to clarify my views.

My research is driven by my curiosity about why we as a society should care about wild animals in captivity. On one extreme, animal welfare groups anthropomorphize animals, tugging at heart strings to donate money or sign a petition. When animals are anthropomorphized, people assume that animals think and feel the
same way as humans. When a dog slinks away because the garbage is on the floor, it is not because the dog feels guilty (a human emotion), it is because the dog is scared – the dog associates the garbage on the floor with punishment. When animals are anthropomorphized their uniqueness is trivialized; they are not “humans with fur and four legs” (Grandin & Johnson, 2005, p.14). At the other extreme, animals are considered no more than commodities to meet the needs of humans. This view ignores that wild animals are sentient beings with complex inner lives and social needs. Sentient beings experience pain and suffering; they also have interests, and thus possess intrinsic value (Singer, 1993).

French (2010) writes that when it comes to animal welfare, “every day is another lesson on living in a world where there are no more pure choices” (p. 25). As illustrated by Marius and Tilikum, opposing viewpoints are based on reasons and arguments that should be considered; these result in trade-offs that we as a society must thoughtfully consider. Somewhere along the continuum of treating animals like “little people” and treating animals as a commodity, lies a point of view that recognizes the sentience of animals, considers the various actors in the debate, and honestly acknowledges the tradeoffs that society must make regarding our treatment of animals.

To be an effective leader and have an impact on legislation related to animal welfare, I must be able to articulate with credibility the relationship between animal welfare, corporate and personal responsibility, and why we as a society should care. Through literature review and supplemental interviews, I studied examples of organizations that keep wild animals in captivity. I studied ethical frameworks and analyzed what it means for society to care about the welfare of wild animals held in
captive by both for-profit and non-profit organizations. My research examines the tensions and practical considerations resulting from the ethical conclusions.

**Analysis of Conceptual Context**

The ethics of keeping wild animals in captivity, whether for profit, education, entertainment, or species preservation, is gaining increasing awareness. Through social media, animal rights groups, and mainstream media, more people are questioning the morality of confining wild animals and the purpose that it serves. This section provides context on the scope and complexity of the captive wild animal issue. I also provide examples of recent controversies surrounding the ethical treatment of wild animals in captivity.

**Scope of the Problem**

Quantifying the number of wild animals held in captivity is one of the challenging complexities of the issue. In the United States, examples of confinement where wild animals depend upon humans for their care include but are not limited to zoos, roadside attractions, aquariums, aviaries, animal parks, circuses, sanctuaries, pet stores, laboratories, game farms and private ownership. Some of these facilities are regulated and many are not. A lack of oversight and regulation of the captive situations results in no governing body maintaining an accurate record of the numbers. The American Sanctuary Association (ASA) is an accrediting organization for sanctuaries ensuring humane and compassionate care for all animals (American Sanctuary Association, 2013a). As of May 2014, there are 37 sanctuaries accredited by the ASA, including both domestic and wild animals (American Sanctuary Association, 2013b). Seeking an accreditation and oversight of the ASA is completely voluntary (American Sanctuary
Association, 2013a). An on-line search of wild animal sanctuaries resulted in a list of animal sanctuaries many times the number accredited by the ASA.

An additional challenge of estimating the number of wild animals in captivity is that scientists struggle to agree upon a common definition of a wild animal. Habituation of a single animal to humans does not result in domestication. Domestication is part of an animal’s genetic make-up and takes thousands of generations to evolve. For example, the parrot purchased in the pet store that depends on humans while in captivity still produces offspring that are inherently wild (Ratliff, 2011). To illustrate, a wild colony of Quaker parrots living in Brooklyn descended from escaped, habituated parrots destined for pet stores who were imported from Argentina in the 1960’s (McLaughlin, 2011).

Recent Controversies Reported in News Outlets

The film Blackfish (CNN & Cowperthwaite, 2012) tells the history of orca whales in captivity and specifically the story of Tilikum, a 12,000 pound orca whale captured in the wild and the killer of SeaWorld trainer Dawn Brancheau. The movie describes the capture of Tilikum, his daily life, and training; his life is contrasted against the experience of orca life in the wild. The orca shows are constructed to entertain the public and illustrate the intelligence and physical abilities of the whales. SeaWorld’s mission statement is “To apply basic physiological research efforts and state-of-the-art reproductive technologies toward species management and conservation” (SeaWorld, 2014, Conservation and Research/Reproductive Research Center/Mission Statement, para. 1). The conflicting perspectives related to the validity of the organization’s mission, the tactics used to achieve the mission, the impact on the individual orca, the benefit to the orca species, and the extent to which the mission is achieved (or not) has resulted in
unresolved controversy four years after Brancheau’s death by Tilikum.

The fate of Marius the giraffe is an outcome of a ruling by the European Association of Zoos and Aquaria (EAZA). The mission of the EAZA in part states: “EAZA’s mission is to facilitate co-operation within the European zoo and aquarium community with the aim of furthering its professional quality in keeping animals and presenting them for the education of the public, and of contributing to scientific research and to the conservation of global biodiversity” (EAZA, 2014). By all accounts, the Copenhagen Zoo and the EAZA followed a principled decision-making process that aligned with the organization’s mission. They also outlined and communicated the rationale for their decision. These actions did not change the viewpoints of thousands of international protesters who concluded that the intentional death of a healthy, wild animal born in captivity is unethical (Abcarian, 2014).

Public awareness of canned hunts, especially those in Africa, is increasing. In a canned hunt, also known as a trophy hunt, hunters pay to shoot a captive animal, guaranteeing a kill. In many cases, the hunted animals are habituated to people, and make no effort to hide or flee. The public has begun to make connections between the photo-op with the lion cub and the lion, habituated to humans, that is killed for a sport trophy (Humane Society of the United States, 2014a). Once again social media and international mainstream news outlets are bringing this controversy to the public. CNN reported the story of the Texas hunter who paid $350,000 at auction to shoot an endangered black rhino in Namibia (Lavandera, 2014). International news media carried the story of a Minnesota hunter in who posted a Facebook photo of a lion killed during a canned hunt in South Africa. Canned hunts are part of a South African strategy to provide revenue,
preserve the environment, preserve the wild populations, and manage the population. With canned hunt strategies, the species as a whole is considered and not the interests of the individual animal; this dynamic creates tensions between those focused on the preservation of the species, those concerned with the ethical treatment of the individual animal, the local economies that benefit from the canned hunts, and the game preserves that host the hunts (Hart, 2013).

The Ringling Brothers and Barnum & Bailey Circus has a tradition of using Asian elephants in their shows since the 1870s. In 1995, The Ringling Brothers corporation established a facility in central Florida “dedicated to the conservation, breeding and understanding of these amazing animals” (Field Entertainment, 2014b, para. 1). Studies of elephants indicate that they have complex social structures, recognize family members, and have an awareness of death (French, 2010). The forced confinement and use of such high-functioning animals for captive entertainment has organizations such as Defense of Animals (n.d.) and The Humane Society of the United States (2014b) dedicating substantial resources to outlaw the use of elephants in circuses, putting their objectives at odds with Ringling Brother’s Center for Elephant Conservation with respect to both the captive breeding and continued use of elephants in the shows.

**Ethical Frameworks**

The current landscape of wild animals in captivity, illustrated with the examples of aquaria, zoos, canned hunts, and circuses, presents complex ethical considerations. To what extent are animals sentient? Why should animals be provided any moral consideration and to what extent when weighed against human interests? What is the outcome for wild animals in a world in which all ethical decisions are anthropocentric
(i.e., human-centered)? I will investigate these questions using the ethical frameworks of utilitarianism, relational theory, animal rights theory, and coherence theory.

**Research Question and Methodology**

The research question analyzed for this thesis is: To what extent, if any, do organizations that keep wild animals in captivity owe them moral consideration? Below I define the data collection strategy and approach used for data analysis to study this question and develop conclusions.

**Literature Review**

The primary source of data was collected via literature review. The main sources for research literature were publications obtained via the libraries of the University of St. Catherine. Secondary search engines, such as Google Scholar and library databases, identified citations for peer-reviewed articles. An additional source for research literature was The Stanford Encyclopedia of Philosophy (SEP). SEP is a scholarly dynamic reference work with an editorial board that is vetted by a university-based advisory board; SEP was a source for research publications on ethics.

**Document Review**

A document review supplemented the data collected via literature review. The document review included the collection of data from news publications, company documents from the identified organizations, and blogs maintained by philosophers Peter Singer and Tom Regan. News sources identified in their mission statement that journalism is their primary purpose. I also reviewed publicly available company documents from the identified organizations.

The organizations keeping wild animals in captivity that were studied include
zoos, aquariums, circuses, and safari parks. These organizations have a representative cross-section of corporate goals, which result in the captivity of wild animals. Their goals include species preservation, preserving the environment, educating the public, and entertaining the public. Organizations researched include SeaWorld, The European Association of Zoos and Aquaria, the Minnesota Zoo and The Ringling Brothers and Barnum & Bailey Circus.

The strategies employed by these organizations to meet their objectives include behavioral research, breeding, culling, and entertainment. All of these stated methods have implications for individual animals, and in some cases, the species. For example, culling a herd to preserve genetic diversity has implications both for the individual animals that are culled and the evolution of the species as a result of the human intervention (Grandin & Johnson, 2005).

**Interviews**

A complement to the literature review was expert interviews. I completed six interviews for this study, each consisting of at least 30 minutes. The interviewees included four individuals associated with organizations that keep wild animals in captivity. These individuals included leaders and staff members of the organization familiar with the organization’s mission, the extent to which the mission is successful, and trade-offs that had to be made to achieve that mission. Leader A works with animal husbandry, Leader B works with veterinary medicine, Leader C works with volunteer coordination, and Staff A works with donors. The other two interviewees are philosophy experts. Expert A is an associate professor with expertise in the fields of Philosophy of Biology and Philosophy of Science. Expert B is a graduate student fellow studying
Philosophy of Biology and Philosophy of Science.

As recommended by Rubin & Rubin (2012), the interviews were designed to allow for rich responses. The interviews were topical and semi-structured with a base set of open-ended questions. Additional probes were used depending on the participant’s response.

Questions for leaders of organizations that keep wild animals in captivity (i.e., Leader A, Leader B, Leader C) were:

1. What is the mission of your organization with respect to wild animals in captivity?
2. What ethical considerations, specific to the wild animals in captivity, were taken into account in the development of the mission statement?
3. How do you measure success as it relates to:
   a. The organization’s mission with respect to wild animals in captivity?
   b. The individual animals under the care of the organization?
   c. The captive population under the organization’s care?
4. What motivates you to do what you do?

Questions for staff members of organizations that keep wild animals in captivity (i.e., Staff A) were:

1. In your own words, what is the mission of your organization as it relates to wild animals in captivity?
2. What are your responsibilities in support of the mission?
3. Why do you work for/volunteer for this organization?
4. Have you experienced any scenarios where action had to be taken and both the interests of the organization and the interests of the animal were at stake?

5. What motivates you to do what you do?

Questions for authors/philosophy experts (i.e., Expert A, Expert B) were:

1. What is your area of philosophical study?

2. Can your area of expertise be applied towards the moral considerations that should be extended towards wild animals in captivity? What is your assessment?

3. Does your area of philosophical study suggest that practical action is needed to change the treatment of captive wild animals? If so, does the action differ when weighed against the greater good vs. the impact to the individual animal?

All interviews were recorded and later transcribed for use in the data analysis.

**Data Analysis**

The ethical frameworks of utilitarianism, relational theory, animal rights theory and coherence theory were used to analyze the data collected through literature review, document review, and expert interviews. The consequences to both the animals and humans when anthropocentrism is the primary consideration for making moral decisions were analyzed. The analysis explores whether there is room for consideration of the animal’s interest in the moral analysis that results in a better outcome for both humans and the animals.

Using a method recommended by Rubin & Rubin (2012), the following steps were executed to synthesize the data collected through the interviews:

1. An exact, word for word transcription was completed for each interview.

2. Concepts and themes were coded. First the concepts and themes that I asked about
were coded. Then I went through and coded themes emphasized by the interviewees. These concepts and themes were then cross referenced against themes found via the literature review.

3. From across the interviews, excerpts marked with the same code were sorted into a single data file; then the contents of each file summarized.

4. Each file was re-sorted comparing between the different sub-groups and the results summarized.

5. Comparing the different groups, descriptions were integrated to create a complete picture.

6. Concepts and themes were combined to generate my own theory to explain the descriptions presented.

7. Results were generalized beyond the individual interviews and literature reviews.

Validity

Both researcher bias and researcher reactivity represented threats to the validity of my study; bias and reactivity can be realized while collecting the data, analyzing the data, and developing the conclusions. As described previously, the captive wild animal crisis and animal ethics were the focus of two substantial papers that I wrote for classes in the MAOL program. I have done outside research on this topic prior to starting this thesis, actively following animal rights organizations and environmental ethicists, and staying abreast of current events and controversies related to animal welfare. As such, I had preconceived notions as to the proper treatment of wild animals, which could have introduced researcher bias into my study. During interviews my body language, tone of voice, and personal energy had the potential to impact what the respondent was willing to
reveal during the interview as a result of researcher reactivity. The tactics that I used to mitigate the threats of researcher bias and researcher reactivity are outlined below.

**Triangulation**

As described in the Method section, the study was designed to collect data and analyze data from literature review, document review, and expert interviews. Triangulation, which is the use of two or more different data collection methods, strengthened the validity of the study and mitigated the threat of researcher bias (Maxwell, 2013).

**Discrepant Evidence and Negative Cases**

A broad range of credible sources were used to identify literature: St Catherine University Library, Google Scholar, and Stanford Encyclopedia of Philosophy. The analysis and writings of a range of moral philosophers were analyzed. Analysis of ethical theories with contrasting views on the moral consideration of animals was studied (Maxwell, 2013).

**Generalization**

Generalization was a risk identified during the preliminary literature review and document review; many philosophical studies draw very broad conclusions when it came to animal welfare. This study drew conclusions by analyzing specific captive wild animals scenarios discussed in the Method section. For example, applying ethical frameworks to the different scenarios of the orca at SeaWorld, the giraffe in the Copenhagen Zoo, the elephant in the circus, and the black rhino in the canned hunt yielded different outcomes when the data was analyzed. The ethical frameworks were applied against very specific cases of captive animal situations, as well as more broadly.
Rich Data

I was granted interviews by leaders of organizations with captive wild animals and experts in the field of philosophy. All interviewees accommodated my request to audio tape the interview. I subsequently transcribed the text and coded the results using the method previously described.

Researcher Reactivity

For the six interviews, I assumed that all of the interviewees have a different frame of reference and the interviews were designed to understand their frame of reference when responding to the questions (Rubin, 2012).

Presentation of Results and Discussion

Overview of Ethical Theories and Issues

Whether or not animals have moral status, and if they do the degree to which they are owed moral consideration, has been a topic of philosophical study and debate for 2,300 years. The research conducted for this thesis was focused on captive wild animals and to what extent, if any, moral consideration should be extended towards the captives. A literature review of the ethical theories related to the moral consideration due captive wild animals is presented in two sections: a historical overview of philosophical viewpoints and a contemporary overview of representative philosophical viewpoints and issues. Presentation of the results of the expert interviews follows.

The literature review and analysis for this thesis focuses on the western philosophical tradition. Many theories of animal ethics are anthropocentric, or human-centered. If a theory is anthropocentric, animals have no intrinsic value. As a result of having no intrinsic value, they have no moral status and are not owed any moral
consideration (Zimmerman, 2010).

As the historical overview shows, the anthropocentric viewpoint has influenced the lack of moral consideration granted towards non-human animals since antiquity. The historical overview is presented to provide context and perspective for those viewpoints that still influence contemporary ethical theories. For the remainder of this thesis, the term ‘animals’ refers to ‘non-human animals.’

**Overview of historical philosophical viewpoints regarding animals.**

Traditional thinking about the moral status of animals has been shaped by religion, philosophy, and science since the ancient Greek civilization. During the fourth century B.C., Greek philosopher Aristotle argued that animals have sense perception, but because they lack reason, animals fall below humans in the natural hierarchy and are appropriate resources for human use (Aristotle, 1989). His influence regarding the lack of moral status of animals, and resulting lack of moral consideration, extended well into the Renaissance (Huang, 2007).

Christian views regarding the moral status of animals are reflected in The Bible, which states that God created man in his own image and we are commanded to subdue and to rule over natural resources, including animals, for our own purposes (Genesis 1:28). The Jewish tradition, while agreeing that animals are subordinate to humans, placed a greater emphasis on minimizing pain to animals based on the tenet that all of God’s creatures are owed compassion (Kemmerer, 2012). Similarly, the ancient Islamic tradition supports that animals are subordinate to humans, and the Koran also forbids cruelty to animals (Kemmerer, 2012).

During the Middle Ages prominent Christian philosophers claimed that animals’
lack of reason justified their subordination. Aquinas (1989) believed it is by divine providence that animals are intended for man’s use in the natural order. Aquinas did not give any moral consideration to animal suffering. For an animal to have moral status and be granted moral consideration, they must have value and importance in their own right. Singer (2009) writes that Aquinas’ views on suffering were anthropocentric: “the only reason against cruelty to animals is that it may lead to cruelty to human beings” (p. 195).

In the 17th century, philosopher Rene Descartes (1989) wrote that animals are not only devoid of reason, but also cannot feel pain. Descartes acknowledged that the internal organs of animals are very similar to humans and that they have organs supporting the senses (i.e., eyes, ears, tongues, nose, and skin). Descartes viewed their lack of speech as proof that animals have no thought, and thus are organic machines. As organic machines, Descartes concluded that animals are not capable of reason or of feeling pain.

Other thinkers and philosophers such as Voltaire, Thomas Hobbes, John Locke, and Immanuel Kant believed it was common sense that animals feel pain. These philosophers did not subscribe to granting animals significant moral status, but they did believe that animals are capable of perceptions and feelings (DeGrazia, 2002).

Kant subscribed to an anthropocentric and duty-based ethic towards animals. Kant (1989) believed that we can judge the heart of a person by his treatment of animals. While Kant did not believe that animals are owed any moral status in their own right, he did write that humans owe animals indirect duties for the good of humanity. For a person to not stifle their feelings and duties towards humanity, they must practice kindness towards animals.

Jeremy Bentham (1989), one of the founders of utilitarianism, did not believe that
a lack of language or ability to reason is sufficient to justify the suffering of any living creature. The very fact that animals have the ability to suffer is sufficient rationale to not treat animals cruelly. Bentham’s utilitarianism was an important historical development toward recognition of the moral status of animals and he shifted the focus towards what all sentient animals feel and experience – pain and pleasure. Bentham also was one of the first philosophers to recognize that equal consideration of interests applies to animals as well as humans.

Later in the 19th century, Charles Darwin and his *Theory of Evolution* created a scientific foundation to consider the interior lives of animals. Darwin (1989) showed that the bodily structure of humans show clear traces of descent from some lower form. Darwin’s scientific argument created a basis to consider that non-human animals feel pleasure, pain, happiness, and misery. Animals and humans manifest similar physical responses when exhibiting these emotions. For example, the physical response to terror has similar manifestations in both animals and humans: muscles tremble, heart palpitates, hair stands on end, and loss of control of bowels. Darwin’s research observed that the principles of maternal affection are the same in both humans and animals. He also noted the extreme suffering of dogs in the practice of vivisection (Darwin, 1989).

Vivisection is the practice of using live animals without anesthesia for scientific and medical research. As the philosophy related to the moral status and moral consideration owed to animals evolved, philosophers’ views regarding whether or not vivisection was morally justifiable also evolved. Franco (2013) writes that vivisection developed during the fourth century B.C. when physicians from ancient Greece dissected animals and human prisoners for anatomical studies. Vivisection continued into the
Roman Empire until the Middle Ages. During the Middle Ages, Christianity spread throughout Europe and the focus was on eternal life. As a result of peoples’ belief in supernatural causes for disease and the healing power of faith, scientific activity nearly ceased and physiological experiments requiring vivisection declined. During the Renaissance, roughly the period from the 14th to the 17th century, interest in anatomy and physiology remerged, as did the practice of vivisection to advance scientific knowledge.

It was not until the 18th century that philosophers acknowledged the extreme pain endured by animal subjects during vivisection. For example, while Kant did not take a stand that vivisection was immoral, he did conclude that the animal’s suffering must be justified by advancing scientific knowledge and minimizing the extent of the suffering during the procedure (Franco, 2013).

The 19th century saw an unprecedented rise in vivisection. At the same time, organized activism protesting vivisection emerged. Previous experiments involving vivisection were primarily for scientific research. During the 19th century physiology, chemistry, and pharmacy were incorporated into the practice of medicine. Experiments involving vivisections were now designed for medical relevance and the training of physicians. As the rate of vivisections increased, the number of experiments deemed unnecessarily cruel increased as well, spawning an intense antivivisection debate. In 1876 the first laws were passed to regulate the use of animals for scientific purposes. Late in the 19th century, the use of general anesthesia came into practice, allowing animals to be sedated for invasive medical research (Franco, 2013).
Overview of contemporary philosophical viewpoints regarding animals. Is every creature worthy of moral consideration? If non-human animals are owed moral consideration, are they owed equal consideration of their own unique interests? By virtue of being a living, sentient being, do we at least owe these creatures consideration of the interests and needs associated with that life? Do we have an obligation to treat other living creatures as more than just means to human ends and do we owe all conscious, sentient, life a respect for its own ends? (Rollin, 2006).

Since the mid-1970s philosophers have made substantial contributions to the animal ethics debate and the question of moral consideration. Four prominent ethical theories were analyzed for this thesis: utilitarianism, relational theory, animal rights theory, and coherence theory. Some important issues that arise in these theories, including sentience and its role in moral consideration, and what equal consideration of moral interests requires, are analyzed.

**Utilitarianism.** Utilitarianism is the view that the morally right action is the action that maximizes the overall good, often understood as maximizing happiness and minimizing pain for all affected. According to Johnson (2012), utilitarian analysis of an ethical problem consists of four steps:

1. First, identify the action or issue under consideration.
2. Second, specify all those who might be affected by the action, not just those immediately involved in the situation.
3. Third, determine the good and bad consequences for those affected.
4. Fourth, analyze the good and bad consequences. The action is morally right if the good consequences, such as happiness, outweigh the bad consequences, such as pain and suffering. (p. 154)
One of the threshold issues in applying a utilitarian analysis to an ethical issue is whether or not animals should be a consideration when evaluating the consequences. Should the consequences for animals be considered under a utilitarian moral theory? Singer (1993) argues yes. Singer presents the argument that because animals, like humans, have the capacity to suffer, animals, like humans, also have interests. Singer believes that even though most humans have an intellectual capacity that exceeds that of animals, this does not justify the complete disregard of animal's interests; to do so is speciesism (pp. 18-23). Singer’s work did much to advance the philosophy of utilitarianism from an anthropocentric view to one which can consider the interests of animals.

Singer (2009) argues that moral consideration of nonhumans must be based on the moral principle of equal consideration of interests rather than on the possession of some characteristic like intelligence or language. A basic principle of equality does not require equal or identical treatment; it requires equal consideration. Singer (2009) writes that the capacity for suffering and enjoyment is a prerequisite for having interests. There can be no moral justification for not taking into consideration the interests of any animal that suffers.

While Singer’s utilitarian theory leads to a positive outcome for animals requiring equal moral consideration of their interests, Frey (1989) and Klein (2004) argue that animals have no moral status and therefore are not owed moral consideration.

Frey (1989) argues that animals have no interests and therefore cannot be harmed. All morally relevant interests are based on desires. One cannot have a desire without a corresponding belief and a belief requires language. According to Frey (1989), because
animals lack language, they lack beliefs and cannot have desires, and therefore have no interests. Without interests, animals have no significant moral status.

Klein (2004) makes a distinction between the concern about the welfare of an animal and the grounds for moral consideration. Klein (2004) asserts that sentience is not a basis for either human or animal rights. The basis for rights is the ability to engage in reason and to act on the basis of that judgment. Animals do not reason, therefore they do not have rights. Klein’s conclusions are based on an anthropocentric viewpoint in which human interests are the most important consideration in moral decision-making.

**Relational theories.** Relational theories include an ethic of care and other approaches that consider relationships or caring for/about others as an important foundation for moral theory. As defined by Tronto (1993), there are four ethical elements of care: attentiveness, responsibility, competence, and responsiveness. The elements are defined as follows: Attentiveness is recognition of a need and that there is a need to be cared about. Responsibility involves taking care of and is a central concept of the theory. Competence requires that the needs be adequately met. Responsiveness requires meeting the requirements of both vulnerability and inequality.

Feminist approaches to ethics examine the impacts of power on the ethical decision-making process. The structures of power, privilege, and politics can result in the least moral option being executed, and also slows the pace of ethical change (Tronto, 1993).

A key question to be analyzed is whether or not an ethic of care applies towards animals. Some contemporary philosophers argue that social relationships are relevant in determining moral status and moral consideration. This is similar to the principle of
ranking the interests of one’s family above friends, neighbors, and acquaintances. Becker (1989) and Midgley (1983) are examples of philosophers that consider social bondedness as one of the elements of an ethic of care.

Becker (1989) asserts that humans have moral priority, and that human interests have priority over the comparable interests of animals:

There are certain traits of character that people ought to have – traits constitutive of moral excellence or virtue. Some of these traits order preference by ‘social distance’ – that is, give priority to the interests of those ‘closer’ to us in social relationships over the interests of those farther away. Animals are typically ‘farther away’ from us than human beings. Thus, to hold that people ought to have the traits constitutive of virtue is to hold, as a consequence, that people ought (typically) to give priority to the interests of members of their own species. (p. 87)

In contrast to Becker, who takes a strictly human/human approach towards social bondedness, feminist philosopher Midgley allows for consideration of human/animal relationships. Midgley does not reject the idea that the needs of those socially closer to us have moral priority over the needs of those who are less close. She qualifies this view by noting that while preference for one’s own species within limits is acceptable, it does not negate consideration of animals’ interests. Midgley contends that reason alone is not the basis for moral status; social-bondedness, and the emotions connected with that, must also be considered (Midgley, 1983).

**Animal rights theory.** Under animal rights theory, animals are recognized to have intrinsic value in their own right, and not just relative to humans. The intrinsic value of
animals is the basis for animal rights, which cannot be overridden by other interests (Zimmerman, 2010).

Under some theories of environmental ethics, nature, and by extension animals, are argued to have intrinsic value. That animals have intrinsic value is a key tenet for philosophers such as Regan who are proponents of animal rights theories. Animal rights theories are an example of an ethical decision-making framework that is non-anthropocentric. According to Regan (1982) an environmental ethic accepts the following two conditions: an environmental ethic must hold that there are nonhuman beings that have moral standing; an environmental ethic must hold that the class of those beings that have moral standing includes but is larger than the class of conscious beings.

According to Regan (1989), an animal’s value is independent of its usefulness to humans. To fail to show respect for an animal’s independent value is to violate that animal’s rights and is immoral. Regan’s teachings are sometimes used as the foundation for the animal liberation movement.

Rollin (2006) also concludes that animals have intrinsic value, moral status, and are owed moral consideration but not necessarily rights. Killing any sentient being involves making a moral decision and requires moral justification with moral reasons.

**Coherence theory.** According to DeGrazia (2002), “For any being to have moral status, they must have importance in their own right and not simply in relation to humans” (p. 13). If we do contend that non-human animals have moral status and are owed some moral consideration, does that mean that animals are by default on equal footing with humans, with rights, choice, and freedom regarding how they live their lives? DeGrazia (1996) writes:
By granting moral consideration and equal consideration of their interests, that
does not translate into identical rights for humans and animals, a moral
requirement to treat humans and animals equally, or the absence of moral
differences between animals and humans. (p. 37)

DeGrazia’s philosophical theory to assess the moral status and ethical treatment
of animals is based on the coherence model for biomedical ethics. Beauchamp &
Childress (1994) integrate ethical and political theory, law, history and existing moral
beliefs. In addition to integrating separate but relevant fields into the framework, one of
the aspects of the methodology is the willingness to change (DeGrazia, 2003). The
coherence model for animal ethics shares similar principles (DeGrazia, 1996).

The theoretical virtues sought in a comprehensive coherence model include
logical consistency, argumentative support, clarity, power, plausibility, intuition, and
compatibility with whatever we know or reasonably believe. There is a risk of bias,
particularly when intuition plays a role in determining the correct thing to do. This risk
can be counter-balanced by applying all of the elements of the theory to a moral dilemma
and validating the outcome for reasonableness (DeGrazia, 1996).

An important aspect of the coherence model is that norms are never considered to
be final. There is always the possibility that ethical convictions will require modifications
in light of further data points. When one considers the history of vivisection, and how
acceptable treatment of animals has evolved with moral theory, societal norms and
science, it is plausible that currently acceptable treatment of individual animals and
animal populations will evolve as well. According to DeGrazia (1996):

While we strive for a state of equilibrium in our total set of ethical convictions,
we are never finished with moral inquiry. New problems arise. Fresh information
and novel insights make us question old judgments. Moral reasoning is viewed as
dynamic and is not expected to produce a final theory. (p. 14)

DeGrazia (1996) concludes that application of coherence theory to issues of
animal ethics includes the following general principles:

1. Don’t cause unnecessary harm.
2. Don’t kill sentient animals unnecessarily.
3. Make every effort to not financially support organizations that support
   unnecessary harm.
4. Don’t cause suffering for the sake of enjoyment.
5. Don’t confine, disable or kill sentient animals unnecessarily.
6. The presumption against confining or killing primates and cetaceans is virtually
   absolute.
7. The conditions of any justified confinement must be responsive to the animal’s
   needs. (pp. 279-280)

Sentience. The mental life of animals plays an important role in contemporary
theories. To varying degrees along the evolutionary chain, animals possess feelings,
desires, self-awareness, language, and autonomy (Midgley, 1983).

As defined by DeGrazia (2002) animal sentience is the ability to feel sensations
such as pain and emotions such as fear. Sentient beings have the capacity to think and
feel. The ability to feel includes both physical sensations and emotional states. As
discussed previously, Darwin (1989) created a scientific foundation to consider the
interior lives of animals and he concludes that there is no fundamental difference between
humans and the higher mammals in their mental facilities. The nervous systems of higher level mammals and humans are virtually identical physiologically, and share common origins and functions (Singer, 2009).

As a cognitive ethologist, Darwin attributes cognitive states (i.e., an inner life) to animals. Cognitive ethologists study behavior in light of its function and its evolution (DeGrazia, 1996). Darwin (1989) concludes that animals feel pain, pleasure, happiness and misery. He also points out that there can be differences in temperament within the same species. For example, a dog can be courageous or timid, a horse can be good-natured or sulky; and this cannot all be attributed to external influences. Some of these character traits are the result of heredity and the internal workings of the particular animal.

The study of ethology, which has much promise to advance the scientific knowledge of animals’ inner lives, has seen an uptake during the past 50 years. For reasons previously analyzed, the field lay somewhat stagnant from Darwin’s observations until recently. Methods for scientific study are being formalized with new knowledge being gained regarding the inner workings of animals’ mental and emotional lives (Midgley, 1983). Many contemporary philosophers consider sentience to be the only defensible boundary of concern for the consideration of others. “It cannot be a characteristic like intelligence or rationality, which would be completely arbitrary” (Singer, 1989, p. 79).

During the expert interviews, Expert B discussed that humans share much of the same evolutionary hardware with animals that regulates suffering, pain, and happiness. For example, humans and animals share similar physiological responses in the presence
of different hormones such as cortisol (the stress hormone), serotonin (the fatigue hormone), and dopamine (the reward hormone) (personal communication, October 2, 2014). Leader B described situations where captive wild animals, under prolonged periods of stress (e.g., loss of cage mate, lack of enrichment), exhibit pacing and self-mutilation behaviors (personal communication, September 23, 2014). Self-mutilation behaviors when confined are a coping mechanism also shared by humans who are incarcerated. As many as 50% of the U.S. prison population self-mutilates in response to the stress of their incarceration (Haines, Williams, Brain & Wilson, 1995).

According to DeGrazia (2002), along the evolutionary chain there are increasing degrees of sentience. It is important to distinguish nociception, the first sequence in the pain response, from actually feeling pain. Nociception is the detection and response to tissue-damaging stimuli before there is a pain response. Nociception is not a conscious state; just because an organism responds to stimuli does not mean that it is sentient. The mere presence of nociceptors in lower level organisms does not indicate the ability to feel pain or that the organism is sentient (pp. 41-43).

**Equal consideration.** According to DeGrazia (1996) equal consideration requires that ones’ interests count as much as anyone else’s comparable interests. Under this view, an animal’s interest in avoiding suffering, for example, is morally as important as a human’s interest in avoiding similar suffering.

Several authors conclude that animals have moral standing in their own right, independent of humans, and consideration should be granted towards their interests (DeGrazia, 1996; Midgley, 1983; Regan, 1989; Rollin, 2006; Singer, 2009). The definition of equal consideration is formulated in different ways across ethical
frameworks. Many contemporary animal ethicists attribute equal consideration only to relevantly similar interests (e.g., pain avoidance). DeGrazia (1996) takes this a step further, and contends that equal consideration be attributed across animals’ unique interests as well. Equal consideration is defined as “giving equal moral weight to the relevantly similar interests of different individuals. This definition rules out the routine overriding of animals’ interest in the name of human benefit” (DeGrazia, 1996, p. 46). Each animal’s interests are taken equally into account, and those interests can be unique to the animal. However, DeGrazia (1996) does not rule out that equal consideration can be compatible with some use of animals. As an example, the captivity of sentient animals in zoos can be acceptable provided certain conditions are met according to the unique interests of the animals.

**Interview data.** Analysis of the interview data revealed common themes and new insights into the ethical treatment of captive wild animals. One theme about which all of the interviewees were in basic agreement was that if a wild animal is held captive, it must be for a higher good than just human entertainment. There are moral trade-offs to consider, and possibly epistemological questions to be answered.

Examples of a higher good that makes the captivity of wild animals morally acceptable include:

- Expert A: learning something distinctive that is of benefit to our natural eco-systems or humans (personal communication, October 7, 2014);
- Expert B: conservation (personal communication, October 2, 2014);
- Leader A: species preservation (personal communication, September 27, 2014);
- Leader B: education (personal communication, September 23, 2014);
• Leader C: education (personal communication, September 27, 2014);

• Staff A: species preservation (personal communication, September 27, 2014).

Staff A also noted that there are expectations that the animals are provided with a habitat that considers their unique interests (personal communication, September 27, 2014).

All leaders and staff members of organizations housing captive wild animals stated that a facility needs to make decisions for the good of the entire population at the facility, and not for the benefit of individual animals. Leader A (personal communication, September 27, 2014), Leader B (personal communication, September 23, 2014), Leader C (personal communication, September 27, 2014), and Staff A (personal communication, September 27, 2014) stressed the importance of a strong acquisition plan. Per the interviews, an acquisition plan assesses readiness of a facility to accept a new animal based on factors such as available space, appropriate enclosures, budget, staff readiness and the ability to accommodate any special needs the animal may have (e.g., health issues, behavioral issues).

Additionally, the leaders, staff and experts all agreed that enforcement of existing regulations designed to protect both the welfare of the animal and the public is needed. As Expert A noted, “The regulatory framework is not always the problem; often it is the implementation of the policies and lack of oversight that fails the animals.” Expert A cited a recent controversy with a facility where undercover video surfaced exposing mistreatment of the animals. The facility was not following existing laws regarding the treatment of the animals and the facility worked to correct the issue and comply with the regulations (personal communication, October 7, 2014).
All of the interviewees discussed the importance of monitoring stress markers to assess the overall well-being of captive animals. These markers include biological markers such as stress hormone analysis, and behavioral markers such as pacing and head shaking.

When asked whether animals have moral status and are owed moral consideration of their interests Expert B responded:

To me that is completely uncontroversial. I don’t see how anyone can seriously analyze the arguments and be intellectually honest and come to the conclusion that we don’t owe them anything. Many people hold that view for a variety of reasons. If we owe moral considerations to humans, it doesn’t follow that we owe the same things to animals as to humans, but anybody who thinks we can treat animals any old way we please, while holding constraints on the way that we can properly treat humans almost certainly has an inconsistent view, I think. (personal communication, October 2, 2014)

Leader A exhibited an ethic of care towards her captive charges. This individual exhibited both tenderness and pride when responding:

Then I look at the brown bears and those guys are spoiled rotten. I feel like, I know it is being anthropomorphic; to me seeing what makes them happy truly makes me happy. To see them where they are not pacing or engaging in any of the non-stereotypical behavior, there is not self-mutilation. There is no stereotypical behavior related to anxiety like pacing, head-swaying. (personal communication, September 27, 2014)
Theory into Practice

Rollin (2006) writes that “ethical theory cannot soar unfettered, but must be tethered to common sense, common practice, and ordinary moral experience” (p. 37). For any ethical theory to have a positive impact on the lives of animals, it cannot resonate only with those who are already convinced that we owe captive wild animals more than we have provided. The theories must also speak to those who are not yet convinced of our obligations towards animals’ interests. I will now analyze the ethical challenges faced by aquariums, circuses, zoos and safari parks in light of the findings of the literature review and interviews.

Aquariums. As described previously, the movie Blackfish tells the history of orca whales in captivity. At least nineteen cetacean species are held in captivity around the world. These species include the more commonly known orcas, beluga whales, and bottlenose dolphins (Marino, 2014). The American corporation, SeaWorld, accounts for half of the orca whales held in captivity (Brower, 2013).

As previously discussed, there are increasing levels of sentience along the evolutionary timeline. White (2007) writes that cetaceans possess advanced cognitive abilities, emotions, self-awareness, social complexity and language. Analysis of the cetaceans’ brains show that they have the biological and evolutionary hardware to support these complex abilities: a large cerebral cortex and a substantial amount of associational neocortex. Anatomical ratios of the cetacean brain place cognitive capacity of cetaceans second only to the humans (p. 44). Exhibiting high levels of social intelligence, cetaceans in the wild cooperate with each other to survive, use acoustic and non-acoustic means to communicate, and in some cases form second-order alliances
within their communities (pp. 153-154).

Cetaceans experience pleasure and pain, have emotions and a sense of self, control their actions, recognize others and treat them appropriately, and have a variety of higher order intellectual skills. What does it mean to consider the vital interests of captive cetaceans? Highly intelligent animals, cetaceans need to live in a socially rich and physically stimulating environment. These animals develop complex social structures, have the ability to solve problems, are rarely stationary, spend a significant amount of time under water, and have autonomy over their daily decisions (Marino, 2014).

Marino (2014) writes that a vast majority of captive dolphins and whales are not used for scientific research; rather they are used for entertainment purposes. This includes shows at aquariums, such as SeaWorld, and swim with the dolphin programs at resorts. There is significant evidence that captivity damages the physical and psychological health of dolphins and whales, and while some individuals adapt better than others, none of them thrive in captivity. The social bonds of cetaceans in the wild are an important aspect of their daily life. Cetacean societies in captivity are described by Brower (2013) as “accidental assemblies you find in any drunk tank on Saturday night” (Social structures section, para. 3).

During the interviews the conclusion was unanimous that animals with complex inner lives need to serve a higher purpose than entertainment and profit if they are confined. According to the interviewees, morally justifiable higher purposes for confinement include educating the public, providing connection between people and the animals to aid some greater good, and species preservation. According to Expert A, the results of the psychological and physical stress of confinement must be counter-balanced
by learning something distinctive with the potential to provide a higher benefit to either humans or wild animal species (personal communication, October 7, 2014).

Applying utilitarian theory to organizations such as SeaWorld, the bad consequences for the captive cetaceans outweighs the entertainment value provided to humans. As previously described, captive cetaceans cannot be provided the socially and physically rich environment required for a highly intelligent animal to thrive. Applying relational theory, the complex social bonds of cetaceans are not being honored. Under animal rights theory, the rights of cetaceans to live their lives are being compromised. Lastly, applying coherence theory indicates that the cetacean’s vital interests are not being given equal consideration relative to the human’s interests in entertainment.

Given that nearly all captive cetaceans are kept for entertainment and ultimately profit, it is difficult to conclude that we are providing these animals adequate moral consideration of their interests. The whales and dolphins are housed in barren enclosures that do not come close to resembling their natural environment, they do not have control over how they spend their day, and their social structures are controlled by humans. Additionally, captive cetaceans are rarely part of scientific research on distinctive questions that cannot be researched some other way.

A common defense used by supporters of aquariums is that wild cetacean populations may benefit from the increased appreciation that humans may develop after seeing their captive brethren. However, White (2007) does not consider even the best facilities to be ethically defensible. As previously noted captive cetaceans do not thrive physically or psychologically in their comparatively barren environment. The benefits do not outweigh the harms, and the benefits skew overwhelmingly towards humans. White
(2007) recommends that captive breeding programs cease immediately and that the current captive generation of cetaceans be allowed to live out their lives over the next 40 to 50 years without reproducing.

**Circuses.** The use of captive wild animals in circuses has been a subject of protest since the 19th century. Because of their high level of sentience, I will focus specifically on the use of chimpanzees and elephants.

According to Doyle (2014) circuses spend as much as 50 weeks per year in transit. Animals are transported via truck or train and in some cases travelling up to 26 hours straight. When not being transported or performing during a show, the animals are in training. The largest American circus, Ringling Bros. and Barnum & Bailey Circus, is a privately held company. The tagline of the parent company, Field Entertainment, is “creating lifelong memories; one act at a time” (Field Entertainment, 2014a). Their purpose is to make a profit by entertaining their paying patrons.

Elephants are the earth’s largest land animal. They have large brains and have evolved to live in complex physical and social environments. Wild elephants are a matriarchal society, with the females remaining together their entire lives. Elephants communicate with each other, exhibit long-term social memory, have been observed helping injured and disabled family members, and in studies appeared to respond empathetically towards the death of another elephant (Doyle, 2014). French (2010) describes in detail the post-traumatic stress, manifested in the form of hyper-aggression and antisocial behavior, observed after elephants witnessed the deaths of their kin following a cull.

Like elephants, chimpanzees live in social communities. Chimpanzees lacking a
rich and stable social environment often develop undesirable coping disorders such as rocking and self-sucking. A constraint of chimpanzees in circuses is their lack of opportunity to control their daily life. While difficult to study and quantify, this has been observed as an important element of healthy chimpanzee behavior (Ross, 2014).

According to Doyle (2014), both elephants and chimpanzees are animals that, given their sentience, are worthy of moral consideration and equal consideration of their unique interests. The morally relevant interests of elephants include a social life in a matriarchal community, the freedom to communicate within their herd, and unobstructed movement. Elephants in the wild are on the move up to 20 hours per day, traveling up to 14 miles.

According to Ross (2014), “Providing captive chimpanzees with a rich, dynamic, and stable social environment is likely the single most important element in promoting chimpanzee well-being” (p. 57). The physical environment must be constructed in a way to nurture and facilitate their social life. Both elephants and chimpanzees need the ability to have choice and control aspects of their daily lives.

According to Expert A, given their sentience, higher order social needs, family structures, and needs for physical space, it is a stretch to conclude that these animals are being provided with moral consideration of their unique interests in a circus environment. When applying the ethical theories previously described, the outcomes are the same as for cetaceans. This is not surprising given that the cetaceans, elephants, and primates share similar intrinsic needs socially, physically, and psychologically. In return for spending hours confined on the road and in training, the circus animals serve only for profit and entertainment. It was also discussed during the expert interviews that there are challenges with monitoring the welfare of circus animals (personal communication,
October 7, 2014). Expert A explained:

Circuses are clearly under different regulatory circumstances than zoos. Zoos are also different in the sense that zoos are in networks of communications with other zoos; whereas circuses tend to be more autonomous. Circuses are self-contained entities run by particular individuals. And so that decreases accountability. If it is the case that I am in a zoo, and I was trained at another zoo, and I am constantly talking with my colleagues at zoos, there is a network of accountability in terms of what you are doing with the animals. If you are just a traveling circus, you have your animals with you, your boundaries are tighter and you are better able to shield out people from making observations of what is going on. (personal communication, October 7, 2014)

**Zoos.** Zoos are public parks that display curated collections of wild animals. According to Jamieson (1985), the purpose of zoos has evolved since they were first established by the Romans. Romans maintained their zoos to have wild animals for the public games. In one instance, emperor Trajan hosted a consecutive 123 days of games in which 11,000 lions, tigers, elephants, rhinoceroses, hippopotami, giraffes, bull, stags, crocodiles and serpents were slaughtered for spectators in the coliseum (p. 108). All of these animals were taken from the wild and transported to a zoo, where they were housed until the games.

The first modern zoos were established in Vienna, Madrid and Paris in the 18th century. London, Berlin, Philadelphia and Cincinnati established their first zoos in the 19th century (Jamieson, 1985, p. 109). The living conditions for the animals in some zoos have evolved from concrete, barred enclosures to park-like settings that mimic their
Not all zoos are equal. Zoos can range from roadside ‘mom and pop’ menageries to large zoological parks with educated, trained staff. This analysis will consider zoos that display animals for the purpose of recreation and education in a park-like setting; employees are educated with advanced degrees including animal husbandry, zoology, veterinary medicine, and biological sciences. The zoos have formal education programs for the public, participate in conservation programs, and house the animals in realistic exhibits mimicking their native habitat.

Jamieson (1985) argues that there is a moral presumption against keeping wild animals in captivity. Because we have moral duties towards animals, we must respect the interests that are most important to them. Those interests include gathering their own food, creating their own social structures, living in an environment for which they are suited, and behaving in a way that is natural to them. If we are to deny wild animals these interests, it must be for reasons that can be obtained only by keeping animals in zoos. Jamieson (1985) rejects the reasons commonly provided to justify zoos: amusement, education, opportunities for scientific research, and help in preserving species. As previously analyzed, it is presumed that if an animals’ interests are compromised, it needs to be for a higher good than just entertainment or profit. Education of the public has been a stated goal of modern zoos since the 18th century. Jamieson does not deny that some education does occur in zoos, but he also makes the argument that this education could be accomplished via films and lectures, which would not infringe upon the animals’ interests. Jamieson (1985) also was skeptical about the potential for zoos to contribute to scientific research or species preservation. Singer (2009) and Regan (1989) also support
Jamieson’s conclusion that zoos are morally indefensible.

DeGrazia (1996) argues that zoos can meet ethical requirements, though he contends that few do. For wild animals to be kept in captivity there are two criteria that must be met: first, the animals’ basic physical and physiological needs must be met, and second, the animal must be provided with a life as least as good as it would have in the wild (pp. 45-47).

DeGrazia (2002) writes, “When considering zoos, one must distinguish between captivity, which constricts one’s liberty, and confinement, which restricts one’s liberty in a way that significantly interferes with one’s ability to live well” (pp. 83-84). For example, the tiger housed in a 10 by 10 foot cage is confined. The tiger housed in a 10,000 square foot enclosure, with an earthen floor, water features, and shelter, is captive. Though captive, how can it be determined the tiger is living well?

As previously discussed, there are chemical markers to measure the chronic stress level of animals. There are also stereotypical behaviors to monitor and assess the psychological health of the animal. Leader A (personal communication, September 27, 2014) described methods used by zoo keepers to fulfill the animals’ natural instincts, such as hiding food in the enclosure, forcing the animals to forage, or creating enrichment opportunities to challenge their natural curiosity.

Rollin (2006) writes that it is possible to assess whether an animal is happy. In captivity, the conditions required to make an animal happy, being able to perform the evolutionary functions that are genetically imprinted on the particular species, can in limited terms be recreated. If an animal’s basic psychological and physical interests as determined by its species are being met, there is no reason to believe that the animal is
not happy. As outlined previously, the physiological and psychological markers can be monitored to measure the extent to which the animals’ needs are being met. The caregivers of the animals are in the best position to intuitively know whether or not an animal is happy. Seeing their charges day in and day out, they will be the first to notice subtle changes in their behavior and demeanor. Both Expert A (personal communication, October 7, 2014) and Leader A (personal communication, September 27, 2014) indicated the keepers become attached to the animals and the animal’s happiness makes the keeper happy. This attachment is an element of relational theory and social bondedness.

As stated previously, if a wild animal is being held captive in a zoo, it needs to be for a higher good than entertainment. A higher good can include education, scientific research, and species preservation.

All of the interviewees who are making a career of working with animals cultivated their love of animals from a very young age. This affinity towards wild animals was not gained solely though books and movies; there were encounters with captive wild animals that made a lasting impression on them. From these encounters, they were inspired to learn more about specific animal species that resonated with them and were driven towards careers to work with animals in positive and ethical situations. By creating such opportunities, high quality zoos can serve a higher purpose with educational opportunities in ways that cannot be recreated with academic study alone.

Opportunities for scientific research can also fulfill a higher good. This study can include research on the captive population and research in the wild that is funded by the zoo. It only benefits the captive population when research is conducted to better understand how animals thrive in captivity. Captivity of wild animals will continue, and
it is prudent that we continue to study and understand how to continuously improve the lives of captive wild animals. There are also benefits to zoos participating in the study and conservation efforts of wild populations; they can contribute to a better outcome for their species in the wild.

Captive breeding programs in zoos do contribute to species preservation. The Species Survival Plan (SSP), governed by the Association of Zoos and Aquariums (AZA), manages threatened or endangered species within AZA accredited zoos. The program identifies population management goals and recommendations to ensure the sustainability of a healthy and genetically diverse animal population with a goal of reintroducing back into the wild when feasible (AZA, 2014).

According to Leader A:

The Species Survival Plan is committed to developing genetically diverse animals in the captive population and zoos have done that with many captive species, but the SSP and zoos are always working to improve the diversity. It takes years to breed genetically diverse animals in captivity. Within zoos participating in the SSP, there are genetically diverse animals ready for release, but they can’t because of habitat destruction and poaching. For these species, the zoos and conservationists are working to buy up tracts of land in their home territory. Once a tract of land is of suitable size and deemed stable from poaching, a genetically diverse pair is released, and the conservation effort works with the local authorities to protect that tract of land, and in some cases purchase surrounding land, so that the animals can continue to increase their numbers. It is a long process to release captive animals in the wild. The first generations require some
assistance, and as successive generations are born and reproduce, the wild instincts become progressively stronger in subsequent generations until eventually, the population is stable, protected, and no longer requires human intervention for survival. (personal communication, September 27, 2014)

**Case study: dhole.**

Zoos are sometimes criticized for focusing only on the animals that have historically been popular with the public: the African animals such as lions, elephants and giraffes, and baby animals. The participation of the Minnesota Zoo in the species survival plan for the dhole is a case contradicting that claim.

The dhole, also known as the Asian wild dog, lives in Thailand, Russia, China and India. Dholes are social animals, and they live, hunt, and raise their young in packs ranging from five to 12. There are fewer than 2,500 dholes left in the wild, primarily due to loss of habit resulting from rapid human population growth, and they are endangered (Minnesota Zoo, 2014). Figure 1 below is a photograph of a dhole.
From Leader A (personal communication, September 27, 2014) I learned that the Minnesota Zoo is playing a major role in the species survival plan for the dhole. There is a genetically diverse population in captivity that is ready for supervised release into the wild. Participants in the SSP are currently working with local government authorities to purchase tracts of land so that the dhole can be released. The effort to save the dhole is not only benefiting the species, it is benefiting the local villages. To protect the genetically valuable animals, cameras monitor the habitats where they are released. Locals are hired to monitor the cameras as well as the movements and well-being of the
animals. Additionally, knowledge to help the local villages is obtained. When villagers complained that dholes were killing their chickens, a monitoring program concluded that it was actually feral dogs causing the destruction, and appropriate action was taken. Visitors to the Minnesota Zoo can view the captive dholes along the Northern Trail, and know that in return for their captivity these animals are enabling a species survival plan, which is also providing employment opportunities and valuable information to rural communities in Asia.

Case study: Marius the giraffe.

Protests surrounding the culling of Marius the giraffe at the Copenhagen Zoo were described previously. The zoo’s rationale included the need to maintain genetic diversity, educate the public during the slaughter of Marius and subsequent feeding to the lions, and the support of their governing association the European Association of Zoos and Aquaria.

On the surface this appears to be an ethically defensible act; giraffe are prey animals and are eaten by lions on the wild. The expert interviews yielded further data points that question the ethical foundation of the zoo’s decision.

According to Leader A (personal communication, September 27, 2014), for a breeding program to produce an animal with genes that are already well represented in the captive population is irresponsible. If the zoo was hoping for a female with these genes, when ultrasound revealed that the baby was male it should have been aborted. When this baby was born, it bonded with the herd. In Figure 2 below, Marius is seen with other members of his extended family. In captive populations, perhaps even more so than in wild populations, the social bonds developed play a critical role in the psychological
well-being of the individual animals. When a giraffe does fall prey to a lion, the animal is typically a baby, when the social bonds are less developed with the remainder of the herd, or when the animal is quite elderly and near death. In this case, Marius was 18 months old with social bonds, and less likely to fall prey to a lion in the wild.

**Figure 2.** Marius with zoo herd


The zoo’s actions are arguably unethical for other reasons. Baby animals increase zoo attendance. Marius, as a baby, is in hundreds if not thousands of photo albums. When Marius was killed, he was no longer a baby, and perhaps less valuable to the zoo in terms of impacting attendance. What lesson does it teach people when an animal is publicly slaughtered when he is no longer of economic value? The timing of Marius’ death, at 18 months old, is suspect in the opinion of Expert B (personal communication, October 2, 2014), Leader A (personal communication, September 27, 2014) and Leader B (personal communication, September 23, 2014). Figure 3 below is a picture of Marius after his euthanasia and immediately prior to his slaughter.

**Figure 3:** Marius after euthanasia.
With the additional perspectives obtained via the interviews, it is difficult to conclude that Marius was treated with moral consideration or that those who viewed his slaughter learned ethical lessons from his sacrifice. Marius’ interests, and the interests of his herd, were not taken into moral consideration. The interests of the public demographic who vehemently and globally protested the zoo were also discounted in the zoo’s response. The zoo’s decision might have been different if these perspectives were taken into account.

Making the motives of the zoo’s breeding program further suspect, two 10 month old lion cubs were euthanized two months later to make room in their exhibit for an adult male lion. Once again, the animals were euthanized as they entered adult-hood and there
is a lingering question as to why they were bred in the first place (Guardian, 2014).

**Zoos – concluding thoughts.** The dhole program at the Minnesota Zoo is an example where captivity is serving a higher purpose. The dhole are housed in a park-like setting on the Northern Trail, they live in a pack providing social interaction, and they are provided enrichment opportunities by their keepers. Though captive their unique, intrinsic interests are being honored by the zoo. The higher good being served is for the survival of their species, educating the public, and providing jobs to villagers surrounding the preserve in Asia where they are released as part of the SSP.

**Safari parks.** As described previously, the ethics of canned hunts is controversial, particularly when the animal being hunted is an endangered species. In 2014, a Texas hunter paid $350,000 to kill an adult black rhino at a safari park in Namibia (Lavandera, 2014). Applying different ethical frameworks to this scenario produces conflicting results.

When considering utilitarianism and maximizing the overall good, the hunt was arguably justifiable. Benefiting from the $350,000 fee includes the country of Namibia, the safari park owners, and the species (assuming some of the proceeds are directed towards conservation efforts in Namibia). The hunter also benefited from the enjoyment of the hunt and resulting trophy. The intrinsic interests of the individual rhino were considered up to the point of his death. The rhino lived in a park-like environment, was allowed to graze and move about freely, and was shot by an experienced marksman so it can be assumed that the animal died quickly and did not suffer.

When applying relational theory, the results are inconclusive regarding whether or not the hunt was morally acceptable. As a baby, this rhino was cared for by the park
rangers. As discussed during the interviews (Expert A, Leader A, Leader B) and in Zoo Story (French, 2010), caregivers develop bonds with the animals under their care. Black rhinos (Save the Rhino, 2014) are solitary animals, so it is questionable how strong the bond between the keepers and the rhino were.

According to animal rights theory, the hunt was not morally acceptable. The rhino’s intrinsic value is independent of his usefulness to humans which includes the hunter and the country of Namibia. The intrinsic value of the individual rhino was also over-ridden for the good of a larger population, his species. The failure to show respect for an individual animal’s intrinsic, independent value violated the rhino’s rights.

Application of the coherence model for this analysis produces a result that depends somewhat on one’s value theory. According to DeGrazia (1996), the coherence model dictates to not cause unnecessary harm. Because sentient animals are harmed by death, there is a presumption against killing sentient animals. The presumption against killing is not equally the same for all animals. For example, there is a stronger case against killing a dolphin than against killing a catfish. When applying my own values, killing the rhino was not ethically defensible. Black rhinos are a critically endangered species and have seen a 96% decline since 1970, mostly the result of hunting and poaching to support the ivory trade (Save the Rhino, 2014). By allowing a black rhino to be killed for $350,000, the message is that the rhino is worth more dead than alive. Countries and game preserves with the good fortune of having black rhinos in their parks should be cultivating interests in valuing their rhinos alive, not dead.

**Summary, Recommendations, Conclusions**

**Linkage to Leadership and the MAOL Program**
This thesis was completed in partial fulfillment of the degree requirements for the MAOL program. The vision statement for the MAOL program is “To be the distinctive graduate program for women and men who seek to think critically, manage skillfully, act ethically, and lead courageously within a global context” (St Catherine University, 2014, p. 7).

French (2010) tells the story of the Tampa Zoo during a period of rapid expansion. A multitude of stakeholders influenced the future of the zoo: the board of directors, the zoo director, city leaders, zoo keepers, zoo veterinarians, the local community, zoo patrons, game preserves, and animal rights organizations. All had their own perspective, developed with their own ethical frame of reference. At the center of all this were the wild animals, living out their lives in captivity, and all of the stated stakeholders had a different perspective regarding what was best for the animals. As an example of the tensions created during the expansion, the city leaders wanted a ‘world class zoo’ that would draw tourist dollars, which would require a curated collection of animals that are proven to increase attendance. One of the keepers believed it was critical to focus on saving critically endangered frogs in South America. Other keepers wanted to focus on the unique intrinsic interests for existing residents of the zoo and improve their exhibits. The zoo director was looking to have a curated collection of zoo animals that would not compete with his private investment in a local safari park. The safari park in Africa was looking to find a home for their surplus wild elephants in order to avoid killing them.

The issues surrounding captive wild animals are global issues. The animals at highest risk of extinction are typically in less-developed countries, often without
communities who value animals in their own right. Leaders who make decisions that impact captive wild animals must do so in a global context, which requires courage in the face of competing stakeholders and interests, like those described for the Tampa Zoo. Decisions regarding captive wild animals require high quality, critical thinking lest the decision be influenced with biased, uninformed, or prejudiced information. Above all these decisions require the leaders to act ethically and take all stakeholder interests into account.

As described by DeGrazia (1996), methods of moral decision-making require experience and intuition, and must guard against bias. The story of Marius shows how the perspective of one person, an interview subject, can provide data points that alter the assessment of a decision. The interests of Marius, his herd, and community members who valued Marius were not considered in the zoo’s decision to euthanize him, resulting in an outcome that to many is not ethically defensible.

Decisions regarding captive wild animals are by nature complex. Different ethical frameworks can point to different outcomes, as previously described with the canned hunt of the black rhino. One method that can be used to analyze complex problems is the case study method. The case study method is used by hospitals to work through challenging cases. A positive attribute of the case study method is that it balances competing perspectives across stakeholders. The participants are relaying their viewpoints through stories and each story represents a different perspective on the situation (Johnson, 2012).

The steps for case-based decision making are:

1. **Storytelling**: each participant tells their story, with quality data and logical
consistency as it relates to the problem. Each story fits together into a narrative.

2. **Encourage elaboration of essential events and characters.** Details are required to draw comparisons with other examples and the other stories.

3. **Encourage the sharing of stories by everyone with an interest in the problem.** It is essential that the leader facilitating the session ensure representation from all stakeholders. A single view can influence the outcome of the story.

4. **Offer alternative meanings.** Applying different ethical frameworks to the stories, examining analogies, and offering alternative views of the future, can foster conversation and alter the outcome of the problem (Johnson, 2012, pp. 260-261).

In an ideal world, all participants in the case study would have knowledge of multiple ethical frameworks to assess the moral status of animals and equal consideration of their interests. Most likely, if the participants have familiarity with the moral arguments, it will be from more accessible writings. DeGrazia (1996) writes that accessibility comes with the risk of being superficial. Organizations with captive wild animals are faced with complex choices. That is why it is critical, in my opinion, that the leader of the case study has knowledge and experience with ethical frameworks so that they can ask open-ended questions to draw out the relevant information from the stakeholder’s story, affecting the best outcome for not only the animals, but all involved.

For the ethical frameworks previously described, when working through a morally complex decision, the facilitator would execute the case method four times with all stakeholders, with a different emphasis for each story:

1. **Utilitarianism** – participants describe alternative actions that maximize good consequences and minimize bad consequences.
2. Relational theory- participants emphasize social bonds.

3. Animal rights theory- participants consider whether animals have rights that should be respected.

4. Coherence theory – alternatives are assessed for logical consistency, argumentative support, clarity, power, plausibility, intuition, and compatibility with whatever we know or reasonably believe.

The decisions and issues faced by organizations that keep animals in captivity are so complex that a single ethical theory should not be relied upon to yield the best outcome. As illustrated in the case studies, different theories can lead to different outcomes. Multiple ethical theories can be applied using the case method, and then all of the resulting outcomes considered before making the final decision. Employing a pluralistic ethical analysis may result in a better outcome, and at a minimum it will highlight tensions between the different ethical theories that require further analysis and discussion before making the final decision.

Conclusions

To what extent, if any, do organizations that keep wild animals in captivity owe them moral consideration? I have concluded based on my research that animals are not only owed moral consideration, they are owed equal consideration of their interests, noting that equal consideration does not require equal rights for humans and animals. Scientific evidence refutes the most frequently cited arguments to deny any moral consideration to animals, namely that they do not feel pain and have no inner life. The biological and evolutionary systems are the scientific evidence to contradict those claims.

The practice of breeding cetaceans, confining them, and using them for
entertainment, must be phased out. The needs of cetaceans are not met in captivity, and the conditions under which these high functioning animals are living are not defensible. It is acknowledged that jobs will be eliminated as a result of this decision, but with a planful approach, aquariums can evolve so that they are not so heavily dependent upon whale and dolphin shows. It is not likely that the cetaceans currently in captivity are candidates to be released into the wild, and they will need to live out their natural life in some type of captive environment, but they should not be used as a form of entertainment.

Circuses should phase out the use of elephants and primates in their shows. The conditions of circus life do not accommodate the unique interests of these animals. There are existing sanctuaries for elephants and primates, and phasing out these animals from the circus shows can be done over a comparatively shorter amount of time than the situation previously described with cetaceans.

The arguments for safari parks to retool and focus on appreciation of their live animals as opposed to hunting them are less strong. There is anecdotal evidence that safari parks are taking the pressure off of wild populations, and there should be further study so that the potential consequences of ending canned hunts can be fully considered.

As discussed, some zoos can be morally justifiable if they meet the animals’ basic physical and physiological needs, and the animals are provided with a life as least as good as it would receive in the wild (DeGrazia, 1996). It is the animals in smaller, roadside zoos, in caged exhibits and without care-givers schooled in animal husbandry, who are at the most risk of suffering in confinement. These smaller zoos typically are not accredited by the AZA, which has established standards for animal management and care.
Leaders of organizations that keep wild animals in captivity should be required to receive training in a variety of ethical theories and engage in problem-solving strategies that take multiple stakeholder interests into account. The leaders need more than experience with the specific processes that support the organization (e.g., public relations, marketing, and fundraising). Ethical decision-making giving moral consideration to the unique interests of the captive wild animals is also an important process that supports the organization. The leaders should be able to understand and apply a variety of ethical theories in considering the interests of captive animals and other stakeholders. One method to require that this training be completed is for the governing organizations (e.g., ASA, AZA) to enforce ethical training for the leaders of these organizations.
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