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STUDIES
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COMMENTS, DEBATES, REPORTS
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Distributive Justice and Animal Welfare

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ABSTRACT

Besides the focus on the various approaches developed until now within animal ethics, perhaps it would be interesting to consider also what ethical theories have ruled out any moral concern for the interests of non-human beings. This article aims to rise some questions about the exclusion of (sentient) animals in the philosophical debates on distributive justice. The introduction briefly provides an overview on the current debate on distributive justice. The author focuses on those theories that adopt welfare as the currency of distribution (so-called "welfare ethics"), underlining how there seem to be a contradiction between the theory of value they rely on and their approach, exclusively focused on humans. The essay analyses the main issues related to the inclusion of animals in welfare ethics, i.e. (a) the alleged incommensurability between human and animal welfare, and (b) the "problematic conclusion". The paper sketches a hypothesis of research to solve the "inter-species wellbeing comparisons" issue by proposing a model based on species-typical potentialities. Then, it tries to address the problem of demandingness by suggesting a sympathy-based foundation of welfare ethics. The last section singles out the moral issue of laboratory animals as an appropriate field of application for a welfarist approach.

Keywords: animal ethics; animal welfare; distributive justice; egalitarianism; laboratory animals; prioritarianism; problematic conclusion; utilitarianism; value theory; welfare ethics.

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1. INTRODUCTION

The academic debate on distributive justice – i.e. on how a good society must manage the distribution of goods of a certain kind among its members – is still open. Over time, several different approaches have been developed. In general, theories of distributive justice can be distinguished on the basis of two components:

(a) The object (or currency) of distribution, i.e. what kind of good must be distributed. Moral and political philosophers have proposed a

variety of objects of distribution, such as welfare (Harsanyi 1955; Temkin 1993; Holtug 2010; Adler 2012), resources (Dworkin 1981), opportunities (Nagel 1991; Arneson 1999), capabilities (Sen 1980), liberties (Nozick 1974), and so on.

(b) The way of distribution, namely, the principle according to which a certain good ought to be distributed. The distribution may follow the principle of maximization of the sum or average (Harsanyi 1955; Sidgwick 1962; Broome 1991; Bentham 2000; Mill 2002); the principle of equality (Sen 1980; Temkin 1993); the principle of maximin/leximin (Rawls 1999); the principle of weighed priority (Holtug 2010; Adler 2012; Lumer 2021a, 2021b); or the principle of sufficiency (Frankfurt 1987; Crisp 2003).

The present paper deals with *welfare ethics*, i.e. those theories whose primary distributive concern is welfare (or utility [1]). Such a position may be justified by making the distinction between an *intrinsic* and an *extrinsic* (or instrumental) good. In fact, welfare ethicists claim that welfare is what possesses an intrinsic value, whereas the other objects of distribution have only an instrumental value, and might be employed only as "secondary" objects of distribution. Therefore, distributive justice must be concerned with what ultimately matters, namely, welfare. According to welfare ethicists, a policymaker ought to distribute e.g. a certain amount of resources on the basis of the ability of individuals to transform such resources into welfare.

Before dealing with the relation between animal welfare and distributive justice, it may be worth to briefly introduce a further clarification. It is often assumed that debates among welfare ethicists revolve around the elaboration of a criterion of moral value that could allow for the moral evaluation of *large-scale* political choices. Adler, for instance, underlines that it is far from his goal to provide "[…] moral norms that could guide

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[1] Among scholars, there is no general agreement on how "welfare" should be defined. Although "welfare" must be used as the abbreviation for "social welfare", which indicates the aggregation of utilities, some (Adler 2010; Holtug 2010) use the term "welfare" also as index of personal desirability. However, it would be more appropriate to say "wellbeing" (a general term) or "utility" (a more specifically philosophical term, which nonetheless does not specify what version of utility is adopted). Other terms often employed in order refer to what has value itself for the individual are "self-interest" and "personal desirability". Philosophical debates about the nature of wellbeing revolve around three plausible theories of utility: (a) utility as satisfaction of preferences (or fulfilment of desires), (b) utility as mental states of happiness, and (c) utility as objective goods, qualities, and so on. For a more complete overview on theories about personal desirability, see e.g. Brandt 1979, 246-265; Parfit 1986, 22-23, 581-587; Temkin 1993, 258-282; Adler 2012, 155-236; 2019, 10-11.

ordinary individuals in addressing 'small scale' choices" (Adler 2012, 317). Although the present paper drafts a hypothesis of research regarding "large-scale" political choices (in particular, those that affect animal welfare), the reader must bear in mind that welfare ethics may be also applied to "small scale" moral choices [2].

2. Person-centred approach in welfare ethics

I shall now introduce a third element of the theories of distributive justice, which is always given for granted, namely, the "beneficiary" of the distribution. The theories of social contract, for instance, imply that the beneficiaries of distributive justice are the members of the community. Being part of the community means to be able to "sign" the social contract or – in Rawlsian terms – to take part in the "original position" (Rawls 1999, 15 ff.). Since only human beings have the deliberative capacity of "subscribing" the social contract, it follows that they are the sole beneficiaries of the distributive policies. Therefore, contractarians do not include non-human animals among their moral considerations (*ibid.*, 448-449).

The same applies for welfare ethics. As Adler (2012, 2019) underlines, a feature of welfare ethics is the adoption of a *person-centred* approach. Indeed, he points out that morality "is exclusively focused on persons' interests, as opposed to the wellbeing of non-human animals that are not persons [and] intrinsic environmental goods […]" (2012, 4). He defends such a position by asserting that only humans are subjects of "fairness". "One can harm an animal" he argues "but one cannot act unfairly toward an animal" (*ibid.*, 318), since animals are not capable of normative deliberations. According to him, animal interests have no moral weight, though he admits they have a certain "normative relevance" (*ibid.*) – although it is not clear of what kind, and in what degree. However, the position of Adler and other welfarists would be considered largely outdated by a great part of ethicists nowadays, and labelled as "anthropocentric" or "speciesist".

Animal ethics, as it has spread throughout the western culture from the 1970s-80s onwards, offers an alternative to person-centred ethics [3].

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[2] E.g. Parfit (1997) applies a prioritarian criterion for moral value to a two-person moral decision. Some (Otsuka and Voorhoeve 2009) have applied welfare-based principles even to prudential (i.e. intra-personal) decisions.

[3] Besides animal ethics, an alternative to the person-centred approach focuses on the environment. This strand of applied ethics aims to expand the moral community

The existing philosophical literature on animals has re-elaborated scopes and methods of ethics through the adoption of a more inclusive approach. In other words, animal ethics include (at least some) animals among the "beneficiaries" of our moral concern. However, the two cornerstones of animal ethics, namely, Singer and Regan, confine the debate on animals to the sphere of morality.

For instance, Singer (2002, 2011), the most famous pioneer of "anti-speciesism", has suggested to extend the moral status to all the sentient animals. He has developed a consequentialist ethical theory whose normative part is based on the *principle of equal consideration of the interests* of all the moral patients – although he makes a distinction between merely sentient from self-aware animals (2002, 18-19; 2011, 66, 76, 85), holding that the former can be killed if replaced with other individuals (2011, 119). On the other hand, Regan (1983) has elaborated a deontological ethical theory based on the principle of respect for the *inherent value* of all the *subjects-of-a-life*. He holds that all the *subjects-of-a-life*, which are humans and animals with complex mental capacities and self-consciousness, possess moral rights (1983, 243 ff.). On the heels of Regan's animal rights view, a novel trend of animal studies has developed, whose purpose is to expand our concern for the interests of animals from the sole moral sphere to politics. Donaldson and Kymlicka's *Zoopolis* (2011) represents the most famous work of such a trend. The authors propose the conferral of citizenship to some categories of animals, depending on the kind of relationship they have with human beings – domestic, liminal, and wild. However, some supporters of the approach concerned with the inclusion of animals in human polities have claimed the distinctiveness of Animal Politics from Animal Ethics (Cochrane 2010; Ahlhaus and Niesen 2015).

Until now, welfare ethics and animal ethics seem to be two separate fields. However, the increasing animalist and environmentally sensitive public awareness may require policymakers to take into consideration the interests of non-human beings also. Animal ethics may offer some interesting suggestion on how to rethink our approach to the ethical questions raised from the adoption of policies that affect non-human welfare. Furthermore, there is a fundamental argument against the view according

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so far as to include non-sentient beings. Among environmental ethics, some adopt a bio-centric approach (i.e. they confer moral status to all living beings), while others are characterized by an eco-centric view of the moral community. This means that even non-living beings such as ecosystems and natural landscapes have intrinsic moral value (Taylor 1986; Jonas 2009; Varner 2011).

to which welfare ethics are incompatible with moral considerations of non-human animals' interests. Indeed, a person-centred approach seems in contradiction with the theory of moral value welfare ethics rely on, since they are founded on the intrinsic value of utility, either in its *hedonistic* version, *preference-based* version, or in a *perfectionist* variant, which defines "utility" in terms of "objective" qualities (independently from the pleasure or preference the subject may have). Therefore, if utility is the currency of distribution, it is not clear why it should not be assigned any moral weight to the welfare of non-human beings. In other words, since scientific evidences suggest that at least sentient animals are able to experience pleasure and pain, and to have a certain kind of preferences [4], human beings turn out to represent only a sub-set of the "welfare-subjects" (Adler 2019, 28). It is clear that animals and other non-human entities are excluded from certain kind of distributive policies (e.g. the distribution of certain resources such as income), but what about those policies that do have a negative impact on their wellbeing? Although they cannot make moral choices, they can undergo certain consequences of someone else's decisions. Therefore, the claim that animal interests should be included in the moral assessment of governmental policies – if such policies affect in some way their wellbeing – seems to be a forceful argument.

One further remark. Welfare ethics do not presuppose the obligation to confer legal rights to animals. Given that their primary concern is the distribution of welfare, they work without assuming that animals are "political subject" with legal rights. This aspect of consequentialist versions of animal ethics has been criticized by advocates of deontological ethics, but especially by supporters of animalist political theory. Indeed, Ahlhaus and Niesen argue that

> For Singer, as for many utilitarian philosophers, moving from ethics to politics may not amount to anything other than a more complex calculation of expectations, but he leaves open how equal consideration as a political principle should be implemented. Second, the interest identified both by Bentham and by Singer – the absence of pain and suffering – is a moral, but not a characteristically political concern. Although animal "liberation" does have a restricted non-metaphorical meaning in his book, for instance in the setting free of laboratory animals, it is freedom from pain and want, not political freedom that plays a decisive role. Neither does Singer account for the distinction between coercive and non-coercive claims on the part of animals. (2015, 12)

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[4] On animal suffering see e.g. Singer 2002; on animals' beliefs and preferences see Regan 1983.

However, it can be objected to advocates of Animal Politics that the computation of gains and losses animals undergo because of certain policies might offer a ground for further developments to those who aim to include animals in human polities, e.g. within a rule-consequentialist framework. However, the debate on political versus moral approach applied to animals cannot be further discussed here. Because of its importance and complexity, it would require its own treatise.

3. ANIMAL WELFARE AND THE PROBLEMATIC CONCLUSION

There is currently no available research on the moral assessment of policies that have an impact on animal welfare through the "outcome-ranking" procedure, which requires to choose between pairs of outcomes the alternative with higher moral desirability. So far, little attention has been paid to the possibility of including non-human animals in the distribution of welfare. The few who have attempted to apply a principle of distributive justice to inter-species wellbeing comparisons (Person 1984; Arneson 1999; Holtug 2007; Vallentyne 2007) have concluded with a negative result.

Including animals in welfare ethics implies two main issues, which can be summarized in two questions, namely, "Who counts?" and "How much?".

According to a hedonistic utility theory, mental states of pleasure (or simply "happiness") are intrinsically good. Classical utilitarians from Bentham (2000) to Sidgwick (1962) argued for the possibility to measure people's happiness by assigning it numerical values. A large part of contemporary welfare ethicists (Harsanyi 1955; Broome 1991), endorses a *preferentialist* approach, where "personal desirability" is intended in terms of satisfied preferences (or fulfilled desires). They presuppose that it is possible to assign a numerical value to an individual's personal desirability, considering her level of wellbeing as the sum of personal desirabilities of that individual's life. Then, given *n* individuals' personal desirabilities, they assume the interpersonal comparability of their desirabilities. The inclusion of animals in welfare ethics would require a measure for animal welfare that could allow for inter-species wellbeing comparisons.

The second issues concerns more specific distributional questions. An "inclusive" welfarism ought to avoid the *problematic conclusion*, i.e. the moral obligation to transfer of resources from humans to non-human animals. The two issues are strictly related. In fact, it has been pointed

out that the problem of including animals in "distribution-sensitive" principles, such as egalitarianism or prioritarianism, raises from the fact that "Since the well-being level of most animals is presumably a modest fraction of an average human's […] this would mean choosing to produce small benefit for animals at the expense of substantially larger benefits for humans" (Adler 2012, 9). In fact, as Arneson (1999) underlines, an impartial policymaker would claim that "the pain of a toothache experienced by a rat that is the same intensity as a similar toothache that is experienced by a human should count the same in social policy calculation"(*ibid.*, 105). In other words, the risk is to develop a normative ethical view that turns out to be too demanding.

Let us analyse the "animal welfare measure" and "the problematic conclusion" issues in order to find out if there can be any hypothesis of research to figure out such problems.

So far, the prevalent idea is that animal and human welfare are incommensurable. Those who uphold this position argue that different species have incomparable cognitive and emotional capacities (McMahan 2002, 195). The philosophical roots of such an argument are already present in Mill (2002). In fact, when he claims that it is better to be a dissatisfied man rather than a satisfied pig (*ibid.*, 270), he implies that an animal's life cannot reach the same level of fulfilment of a human life. Indeed, the life of a human is (potentially) superior in *quality*[5]. Therefore, it is impossible to compare the wellbeing of a human to the wellbeing of an animal on the same scale. For instance, if we endorse a preference-based theory of personal desirability, it would be problematic to measure animal welfare, for animals have not "extended preferences"[6]. Indeed, since animals cannot express (through a sentence) their preference for an alternative *x* over an alternative *y*, the preference-based account is problematic for animal welfare[7]. Furthermore, it has been pointed out that humans have

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[5] According to Mill, there is a hierarchy of pleasures. In fact, he holds that "some *kinds* of pleasure are more desirable and more valuable than others" (2002, 268), arguing for the superiority of the "mental" over the "bodily" pleasures. However, due to their "infirmity of character", some people often choose the "inferior pleasures" over the higher, even if they are aware that the former are less valuable (*ibid.*, 270).

[6] As Adler defines it, an extended preference is "a ranking of life-histories. To say that individual k has an extended preference for (x; i) over (y; j) means that k prefers the life-history of i in x to the life-history of j in y" (2012, xv).

[7] However, although the preference-based account, first elaborated by Harsanyi (1955), defines an individual's preference for *x* through the verbal expression of her preference for *x*, the object of a person's own preference may be also determined by the observation of an individual's behaviour.

different preferences in terms of number, intensity and sophistication (Holtug 2007, 11).

The hedonistic version of utility is perhaps easier to apply to animal welfare. In fact, the position of Mill, according to whom "A being of higher faculties […] is capable probably of more acute suffering […] than one of an inferior type" (2002, 269) has turned out to be imprecise. Indeed, if for what concerns pleasure it can be asserted that an animal cannot e.g. enjoy the beauty of nature, the reading of a good novel, and so on, the discourse for pain is different. Today it is well known that the capacity for experiencing physical pleasure and pain, as well as fear, terror, etc., is not a distinctive feature of humans. In fact, it has been scientifically demonstrated that "the higher mammalian vertebrates experience pain sensations at least as acute as our own", for "their nervous systems are almost identical to ours, and their reactions to pain remarkably similar" (Singer 2002, 12) [8].

A third definition of animal welfare can stem from the perfectionist account for personal desirability, also known as "objective-goods list theory". One version of such a theory has been elaborated by Sen (1980, 1995) and it is focused on the development of a set of relevant functionings and capabilities, such as "being adequately nourished, being in good health, avoiding escapable morbidity and premature mortality […] being happy, having self-respect, taking part in the life of the community, and so on" (Sen 1995, 39). Nussbaum (2007) has proposed a version of the capability approach applied to animals. She claims that animals should be allowed to live a "dignified existence", which is characterized by

> […] adequate opportunities for nutrition and physical activity; freedom from pain, squalor, and cruelty; freedom to act in ways that are characteristic of the species (rather than to be confined and, as here, made to perform silly and degrading stunts); freedom from fear and opportunities for rewarding interactions with other creatures of the same species, and of different species; a chance to enjoy the light and air in tranquillity. (*ibid.*, 326)

Nussbaum's proposal seems to be the most easily convertible into a measurement for animal welfare. Indeed, since pain and pleasure are mental states, they can only be deducted from animal behaviour, whereas "objective goods", such as freedom or adequate nutrition, can be empirically observed. However, the theoretical basis for a definition of animal welfare may be offered also by a "mixed" approach, which includes both (painful and pleasant) states and "objective-goods".

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[8] Singer quotes Serjeant (1969, 72).

Following such theoretical frameworks, several systems for assessing the animal welfare have been developed (Porter 1992; Stafleu *et al.* 1999; Appleby and Sandøe 2002; Veissier *et al.* 2011). Obviously, an animal welfare measure must be differentiated, depending on some factors such as its species, and the human use (e.g. livestock, laboratory animal, companion animals, and so on). For instance, within the project Welfare Quality® (WQ), four principles have been proposed in order to assess farm animal welfare: good feeding; good housing, good health, and appropriate behaviour, then subdivided into 12 welfare criteria (Sandøe *et al.* 2019, 67). For what concerns laboratory animals, Porter (1992) has developed a scoring system in order to assess the moral desirability of an experiment, which is based on pain and other factors, such as quality of the environment, deprivation of social contact, quality of post-operative care, and so on.

The difficulties related to inter-species wellbeing comparisons might be solved by proposing a model based on "species-typical potentialities" – an account in some way advanced by Vallentyne:

> Suppose, for example, that the maximum well-being for mice is 2, and a particular mouse has well-being of 1. Her fortune, on this conception is .5 (= 1/2). Suppose that maximum well-being for humans is 200 and that a particular human has well-being of 100. His fortune is also .5 (= 100/200). On this conception of fortune, moderate egalitarianism does not require any shift of resources between the two. More generally, although this will require some shifting of resources from some humans to some mice (and from some mice to some humans), it does not require a massive shift of resources from most humans to most mice. (Vallentyne 2007, 217)

This suggestion implies that the determination of an individual's level of welfare must be based on what is "expected" for the members of her species, i.e. on what her species can potentially achieve in terms of quality of life. In this way, giving a scale form e.g. 0 = life not worth living to 10 = completely satisfying life, the numerical value of animal welfare would indicate the wellbeing level of its own life within the potentialities of the species it belongs to. However, Vallentyne himself asserts the implausibility of this account for inter-species wellbeing comparisons: "Consider a severely cognitively impaired human who has the innate potential (e.g. potential at conception) of a normal mouse. Why would morality be more concerned in principle with the human than with the mouse?" (*ibid.*). The problem can be also formulated as follows: how to justify a moral preference (or a certain degree of priority) for a human being than to an equally badly off non-human animal? More generally, this is the problem of demandingness in ethics. A utilitarian principle of

distribution would fail in avoid demandingness, since it requires a policy-maker to be impartial – or, by using Singer's expression, it is founded on the *principle of equal consideration of the interests* (Singer 2002). Further-more, as pointed out before, utilitarianism's sole moral obligation is to maximize the sum (or the average, in cases of unfixed populations) of *n* individuals' personal desirabilities, without making a distinction between the level of wellbeing and its moral value. So, according to utilitarians a well-off individual has the same entitlement to an improvement of her own condition than a so much worse-off individual. Therefore, the utilitarian way of distribution must be dismissed in favour of other more "egalitarian" or "distribution-sensitive" principles. As mentioned before, different ways to correct utilitarianism have been developed. One of them is prioritarianism[9]. For prioritarians, benefiting an individual mat-ters more the worse-off this individual is. So, they distinguish between the level of wellbeing and its moral value, assigning more moral value to improvements for individuals who are worse off. How can prioritarians justify a special concern for humans over animals?

Most prioritarians (Parfit 1997, 2012; Holtug 2010; Adler 2012, 2019) have defended prioritarianism on the basis of their moral intui-tions. They often point out how a certain case leads to "counterintuitive implications", or how a certain example has "intuitive force". Further-more, they use any sort of counterexamples in order to hit the reader's own moral intuition. However, the intuitionist method cannot properly be defined as a "justification", for it lacks some formal requirement. The most relevant – and challenging for supporters of intuitionism – is per-haps the *motivational impact*. Such condition requires that a justification ought to provide a motivation to the moral agent. In other words, for a justification having a motivational impact means that a person who is rational and informed (prudent) should accept that normative ethics, and act accordingly to it. The problem of intuitionism in this respect is that it is incapable of connecting the moral intuitions to the action through a motivation, so it is not clear how it might be able to justify a moral preference for human beings over non-human animals.

A way to solve such problems might be offered by a form of pri-oritarianism based on an internalist justification, which provides moral motivations to the moral agent. An internalist justification to prioritari-anism, which has been proposed first by Lumer (2008, 2021a, 2021b), relies on the Humean assumption that the moral agent feels a sentiment

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[9] For a defence of prioritarianism, see e.g. Parfit 1997, 2012; Lumer 2008, 2021a, 2021b; Holtug 2010; Adler 2012, 2019.

of compassion. Empirical hypothesis suggest that compassion is stronger the worse off individuals are. Therefore, from the compassion-based function it can be derived a prioritarian moral weighing function, which assigns more moral value to improvements of the condition of the those who are badly off. By justifying the prioritarian axiology through motivational internalism, we can assume that humans feel stronger sympathy towards the members of their own species than towards other species. So, a lower moral value may be assigned to improvements of non-humans' conditions. The stronger feeling of compassion towards humans due to "species-membership" may justify a special weight to changes for humans.

A further issue involves the temporal unity of distributive concern. In fact, it has been argued that since human life is averagely longer, this makes the comparison even more difficult (Holtug 2007, 19-20). In order to address the issue of the temporal unit of distributive concern, different version of prioritarianism ("whole-life" and "time-slices" prioritarianism) deserve to be examined. Let us consider "whole-life" prioritarianism first. If, from the perspective of justice, "whole-lives" are what should be considered in welfare distribution, an animal would be almost certainly much worse-off than a human being. For instance, let us assume a particular case in which dog's life is 15 years long, whereas a human life is 75 years long. If the human's extra years are considered in the computation of gains and losses as having value, the dog would be very worse-off compared to the human. Therefore, the dog would be assigned moral priority over the human.

Let us now consider "time-slices" prioritarianism, i.e. the view according to which only "segments" of a life are what matters in welfare-distribution. According to "time-slices" prioritarianism, "the lower an individual's welfare at some point in time t, the higher the value of a further benefit to this individual at t" (Holtug 2007, 19). Consider the following distributions:

X	T1	T2	T3	T4	TOTAL
Human	10	10	10	10	40
Dog	10	–	–	–	10

Y	T1	T2	T3	T4	TOTAL
Human	6.25	6.25	6.25	6.25	25
Dog	25	–	–	–	25

Slice-time prioritarians would bring about *y,* since it has the greatest sum of weighed utility. However, as Holtug (2007) points out, slice-times prioritarianism implies some complication, such as in case of inter-temporal compensations – i.e. when an individual is much worse-off than another individual in one life-segment but better off in all the others. An alternative to the "whole-life" and "time-slices" approaches may be a combination of the two (McKerlie 2007). However, the topic of the temporal unit is complex and would deserve to be further investigated.

4. FIELDS OF APPLICATION: THE CASE OF LABORATORY ANIMALS

If the theoretical model turns out to be successful, it has to be applied to specific policies that involve animal welfare. The range of human use of animals is wide: they are exploited for food production, kept as pets, used as touristic attractions, and so on. If to some practises (e.g. the case of captivity for wild animals) an "animal rights" approach would be more appropriate, a consequentialist approach may be useful to assess other moral issues. For instance, a few would be willing to ban animal testing if this could save thousands of human lives (Olsson *et al.* 2011). It is well known that laboratory animals are employed for different purposes. Three are the main uses of animals for research: (a) animals for biomedical research, which represent more than 60% of the total (b) quality control, toxicological and safety testing (c) teaching (Regan 2005; Olsson *et al.* 2011). This remark is important because laboratory animals undergo different damages in intensity and frequency.

Welfare ethics assume that the moral desirability of a state of affairs can be determined by calculating the amount and the distribution of welfare among individuals. Therefore, whether the use of animals for research can be acceptable depends on the moral desirability of the available alternatives. It would be useful to investigate to what extent it is morally desirable to inflict losses in utility to animals, and whether and in what degree our gains outweigh their losses. Three aspects determine the moral preference for a state of affairs *x* over an alternative *y*, namely, (a) the distribution itself (how welfare is distributed among well-off and badly-off individuals), (b) the *size* of the benefit and (c) the *number* of individuals who are benefited.

However, a study of such magnitude would require many years of research, because the results may be observable only in a long-term pros-

pect. In fact, given a series of experiments S on the same research topic, it would be necessary to calculate:

1. the expected number of people who would benefit from S;
2. the number of animals employed in S [10];
3. the size of the benefit for n people and the size of the harm for n animals if S is brought about;
4. the size of the losses for n people and the size of the gains for n animals if S is not brought about.

At the end, there will be two outcomes x and y, with the former indicating the state of affairs if S is brought about, while the latter indicates the state of affairs if S is not brought about. Each outcome is represented by a vector of n utilities, i.e. the personal utility of each individual in that outcome. Then, given x and y, a social welfare function ranks outcomes according to the prioritarian rule, which prescribes to choose the alternative with the highest sum of priority-weighed utility.

I have provided only a sketched description of how the methodology employed in welfare ethics (the "outcome-ranking") might be applied to assess cases of welfare-distribution that involve laboratory animals. However, the same procedure might be applied to other cases of policies that affect animal welfare.

5. CONCLUSION

I have discussed the main issues related to the inclusion of animal interests in welfare ethics. I have claimed that, in general, at least some species of animals are entitled to be considered in questions about welfare-distribution. I have showed the principal theoretical proposals for a definition of animal welfare, namely, welfare as measure of pain and pleasure, preference-based welfare, and welfare as achievement of some "objective goods" such as capabilities, opportunities, qualities, and so on. Then, I have proposed to endorse a "species-typical potentialities" approach to solve the issue of inter-species wellbeing comparisons.

I have introduced the problem of demandingness or the "problematic conclusion", i.e. the moral requirement to transfer of resources from humans to non-human animals due to the adoption of a "distribution-

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[10] A further ethical issue whether the moral assessment should focus on harmful experiments or all kinds of experiments – given that freedom and opportunities for rewarding interactions with other creatures may be included among the welfare indicators (Nussbaum 2007, 326).

sensitive" criterion of welfare-distribution. The paper tries to address the problem of demandingness by suggesting a sympathy-based foundation of welfare ethics, which implies a stronger empathy, and consequently a special concern, for human beings.

The last section singles out the moral issue of laboratory animals as an appropriate field of application for a welfarist approach, claiming that the moral desirability of a certain set of experiments may be determined by calculating losses and gains in utility (for people and for animals), and applying the outcome-ranking decisional procedure according to a rule (in this case, the prioritarian rule).

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