Reply to Bostock

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Bostock’s *Zoos and Animal Rights* is a first-rate book: thoughtful, learned, detailed—and intended to improve the lot of nonhuman animals kept by humans. It would benefit any readers setting out to understand or decide their position on the morality or immorality of zoos. I value his book’s contribution.

Bostock formulates two inter-related clarifications in his response to my critique of his approach. He agrees that an institute can be cruel without inducing suffering. I had initially thought that he was denying this in his book’s tri-partite characterization of cruelty (p. 56), claiming that such an understanding of cruelty was too restricted. However, because he appears to hold that cruelty can relate to captivity as such, his defense of good zoos depends on the other clarification he makes in his reply: that captivity in good zoos does not constitute cruelty, since (unlike incarcerated humans in good conditions) animals can continue to exhibit natural behavior.

Difficulties surface when pondering over “natural behavior.” The content he provides to such behavior in his reply easily applies to animals too: “A human prisoner is not normally able to do whatever she would choose to do at home or elsewhere, so, by the natural behavior criterion, is clearly not in a state of well-being.” In what sense are birds, lions, elephants, dolphins, apes or antelopes “able to do what they would do” in the wild in a good zoo? At one point, Bostock suggests that birds kept in a good aviary would probably stay in it if its doors are opened and that such serves as “pretty good evidence” that they are in a state of well-being (p. 59). Zebras, snakes, ostriches, bears—and many of their neighbors—would certainly not remain in their cages (or within their enclosures, however roomy or scientifically tailored to their needs). If such actions on their part should indicate the animals’ own sense regarding where their well being lies, the best enclosures do not seem to be a viable exchange for freedom of movement for the animals. So no, I am not willing to relate to an eagle free to fly for a few yards in a spacious aviary as expressing natural
behavior or as indicating that no cruelty is involved since the natural instinct to fly is not being thwarted.

We can sense just how slippery the concept of natural behavior is when it is broken up by Bostock (pp. 86, 87) into discrete behavioral segments such as “characteristic locomotion,” feeding, grooming, courtship, breeding,” and “play behavior.” Although I value the significance of pointing out palpable criteria that can set apart better and inferior ways of keeping animals in zoos, the concept of natural behavior, if it is meaningful at all, is irreducible to such components. In Garnett (1924), John Cromartie volunteers to be exhibited in London Zoo as a species of *Homo Sapiens*. He ardently strives to exhibit natural behavior of a human for the edification of the bewildered spectators. He sits about reading a newspaper or high-brow books, paces around in his cage, and shaves. We could imagine him playing card games, exchanging jokes, even “breeding.” Yet all of this would still constitute a perversion of natural behavior rather than a manifestation of it, since there is some overall dimension of natural behavior which is irreducible to these chopped off behavioral segments. I fail to see why this should be different for nonhuman animals. Finally, manifesting natural behavior indicates adaptability rather than well being: some animals are simply more flexible (hence tougher) than others. Yet why should this greater flexibility indicate that they are in a state of well being?

Diminished welfare notwithstanding, what my argument sought to show through appealing to imprisoned humans who are provided with good living conditions, is that zoos involve a deeper moral violation that has nothing to do with compromising welfare. Even if—what is actually highly doubtful—welfare is unmodified (say it is even improved), zoos rely upon an unjustifiable paternalism with regard to animals. Here the difference between Bostock and me strikes me as partly verbal. Bostock admits that zoos violate the right to freedom of animals. I do not place much importance on rights in my own approach to animal ethics and relate to these as parasitical upon more basic attributes that the right-possessing entity exhibits. For me, the best zoos can perhaps avoid inflicting suffering; yet they are nevertheless cruel since they harm the animals; “harm” in a sense which—like the harm involved in coma—is unrelated to negative experience. Bostock would say that the best zoos can avoid inflicting suffering, but they still violate the animal’s right to freedom. There is no substantial difference between us here—apart, of course, from the diametrically opposed evaluations. For Bostock such violation is justified, whereas for me it is not. What lurks behind the different choice of moral language is that “rights” are ghostly, cerebral, abstract entities, whereas cruelty and harm are not. And whereas “somewhat compromising rights” can strike