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Behnam Khodapanah

The Moral Status of Animals in Islamic Philosophy

A Comparative and Critical Study

UNIVERSITY OF JYVÄSKYLÄ
FACULTY OF HUMANITIES AND
SOCIAL SCIENCES

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ABSTRACT

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This study explores the moral standing of animals within Islamic philosophy, focusing on two prominent Iranian Muslim philosophers, Avicenna (980–1037 CE) and Mullā Ṣadrā (1572–1635/6 CE), in comparison to contemporary animal ethics. First, we examine the ideas of key modern animal ethicists—Peter Singer, Tom Regan, and Martha Nussbaum—to grasp the contemporary moral issues at hand regarding non-human animals and their arguments for including animals in ethical considerations and the implications of their diverse approaches. This contextualizes the study within modern ethical discourse and guides the examination of historical figures and their possible responses to the contemporary issues. Next, we delve into Avicenna's metaphysics concerning animals, reconstructing his views on their capabilities and limitations, the latter mainly due to the lack of rational soul for other species, across ontology, epistemology, and psychology. This understanding sets the stage for probing the moral status of animals within Avicenna's philosophy. Similarly, we explore Mullā Ṣadrā's philosophy regarding animals, comparing and contrasting it with Avicenna's perspective. Ṣadrā's metaphysical doctrines, unlike Avicenna who drew strict lines between species, emphasizing more continuity between humans and other species, suggest potential implications for his stance on animal ethics. By examining these thinkers in relation to contemporary ethical concerns, this study sheds light on the evolving discourse surrounding the moral treatment of animals within Islamic philosophy.

Keywords: Islamic philosophy, animal ethics, Peter Singer, animal Liberation, Preference utilitarianism, Tom Regan, animal rights, Martha Nussbaum, capabilities approach, Avicenna, perception, animal souls, animal self-awareness, animal mind, estimation (wahm), Mullā Ṣadrā, existentialism, primordiality/primacy of existence (aṣālat al-wujūd), substantial movement (ḥaraka jawhariya), the gradation (tashkīk), animal resurrection, imaginal immateriality, perfect human/man, virtue ethics.

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Tämä tutkielma käsittelee eläinten moraalista asemaa islamilaisessa filosofiassa. Keskiössä on kaksi kenties merkittävintä muslimifilosofia, Ibn Sīnā (k. 1037 jaa.) ja Mullā Ṣadrā (k. 1635/6), joiden ajattelua verrataan oman aikamme eläinetiikkaan. Tutkielman ensimmäinen luku esittelee, miten kolme keskeistä eläineetikkoa – Peter Singer, Tom Regan ja Martha Nussbaum – ovat argumentoineet eläinten eettisen huomioonottamisen puolesta, sekä millaisia seurauksia heidän lähestymistavoillaan on. Luku asettaa tutkielman modernin etiikan kontekstiin ja ohjaa historiallisten ajattelijoiden tutkimusta. Toinen pääluku perehtyy eläinten asemaan Ibn Sīnān metafysiikassa, epistemologiassa ja psykologiassa. Luvussa rekonstruoidaan Ibn Sīnān käsitys paitsi eläinten kyvyistä, myös niiden rajoitteista. Jälkimmäiset perustuvat pääasiassa siihen, ettei eläimillä ole ns. Järkisielua, joka on yksinomaan ihmiselle ominainen. Tämän rekonstruktion pohjalta tarkastellaan lopuksi eläinten moraalista statusta Ibn Sīnān filosofiassa. Kolmas luku perehtyy Mullā Ṣadrān eläimiä koskevaan filosofiaan ja vertaa sitä Ibn Sīnān näkökulmaan. Toisin kuin Ibn Sīnān jyrkkä erottelu lajien välillä Ṣadrān metafyysinen teoria painottaa jatkuvuutta ihmisten ja muiden lajien välillä, millä on potentiaalisesti merkittäviä seurauksia eläinetiikalle. Tutkimalla näitä ajattelijoita suhteessa oman aikamme eettisiin kysymyksiin väitöskirja pyrkii avaamaan mahdollisuuksia eläinten moraalista kohtelua koskevalle keskustelulle islamilaisen filosofian puitteissa.

Avainsanat: islamilainen filosofia, eläinetiikka, Peter Singer, eläinten vapautus, preferenssiutilitarismi, Tom Regan, eläinoikeudet, Martha Nussbaum, toimintamahdollisuusteoria, Ibn Sīnā, havainto, eläinsielut, eläinten itsetietoisuus, eläinten mieli, estimaatio (wahm), Mullā Ṣadrā, eksistentialismi, olemassaolon ensisijaisuus (aṣālat al-wujūd), muutos substanssissa (ḥaraka jawharīya), olemisen asteittaisuus (tashkīk), eläinten ylösnousemus, kuvittelukyvyn aineettomuus, täydellinen ihminen, hyve-etiikka.

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"For all who sincerely work in the field of Iranian history and culture,
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CONTENTS

INTRODUCTION

The following study will investigate the moral status of animals in two paradigmatic Iranian Muslim philosophers from two different periods of time, i.e., Ibn Sīnā (or Avicenna, as he was referred to by medieval Latin thinkers; 980–1037 CE), who lived in the so-called golden age of Islamic thought, and Mullā Ṣadrā (1572–1635/6 CE)[1], who lived during the Ṣafavid dynasty about five centuries later, and was thus contemporary to the first early modern thinkers in the West.

The primary reason behind this choice, and especially the choice of Avicenna, is the absence of a comprehensive study on Avicennian animal philosophy in general, and the question of the moral status of animals in particular. Furthermore, Avicenna holds a pivotal role in shaping the trajectory of philosophical thinking in both Iranian and Islamic history. Indeed, without acquaintance with his works and thought, it would be almost impossible to have a systematic and proper understanding of what is known as Islamic philosophy. At the same time, it should be mentioned that his impact was not just limited to Islamic authors, for his works and ideas had a great impact on medieval Christian and Jewish thinkers as well.[2] On the other hand, the main reasons for choosing Mullā Ṣadrā as the second focus of this study are, first, because in many areas, Ṣadrian philosophy is a reaction to Avicennian metaphysics, whether positively by agreeing with some of his ideas, or negatively by disagreeing with them, to proceed his philosophical journey by addressing the questions and the issues that Avicenna faced with, and second, since his philosophy continues to play a significant role in Iranian contemporary thought through its various modern interpretations.

Since our contemporary context and the background for the question concerning the moral status of animals is somewhat different from that in the past, this study aims to explore the possible answers the two past philosophers

[1] See: Rizvi, *2007*.
[2] See McGinnis, 2010, 244–254, who gives an overview of Avicenna's impact on some great medieval Jewish and Christian philosophers, such as Maimonides, Albertus Magnus, Thomas Aquinas, and John Duns Scouts.

would have given to current issues in animal ethics. Indeed, in the past, humans were not engaged in modern practices, such as factory farming, or the mass production of animals in confined indoor spaces, in which animals are deprived of the most fundamental conditions essential for their thriving as living entities, such as free grazing, access to outdoor activities, exposure to natural light, and so forth. Historically, human and non-human animals often lived together in shared spaces, in contrast to modern life, in which the primary interaction with farming animals is through portrayals in advertising that depicts them as perfectly content in their role of providing humans with different kinds of product without any big issues. These different contexts naturally give rise to different moral complexities and issues concerning animal suffering and our treatment of them. For example, the dependence on animals for clothes, food, and transportation made it challenging for past thinkers to consider vegetarianism or veganism as a viable option, and this was limited to individual persons or small circles with spiritual ambitions. In contrast, modern machinery systems, despite the many environmental issues they have caused, have reduced this dependence, thus making vegetarianism or veganism much more feasible, as modern agriculture produces greater crops and methods have been invented to process them into many different kinds of plant-based products. New transportation systems have also facilitated the global availability of these products.

However, as our study will reveal, despite the differences in context, animal suffering was a challenging concern for past philosophers as well, including Avicenna and Mullā Ṣadrā, although their focus was often more inclined towards the theological consequences of animal suffering.

As modern readers who intend to examine past philosophers through the lens of contemporary issues related to our treatment of other animal species, it is essential to first explore the moral issues at hand. To achieve this, and to appraise their possible responses with contemporary philosophical approaches, we must delve into the ideas of some prominent modern animal ethicists who have sought to address the diverse ethical concerns regarding other species through various approaches. Thus, in the first chapter of this study, we will explore three of the most important approaches in contemporary animal ethics: Peter Singer's utilitarian claim for animal liberation, Tom Regan's deontological theory of animal rights, and Martha Nussbaum's Neo-Aristotelian capabilities approach. According to Singer's preference utilitarian approach, entities capable of having preferences and desires, regardless of class, race, sex, or species, should have their preferences count equally. The key prerequisite for having a desire is the ability to feel pain and pleasure, or *sentience*. As sentient entities, non-human animals should be brought into the sphere of ethical consideration, their desires and interests in avoiding pain and suffering should be taken into account equal to those of human animals, and this should be done with any activities they are involved in, because feeling pain is equally bad, irrespective of what species is undergoing it. At the same time, if an entity has no perception of itself over time, that is, if it is not a *person* in Singer's terms, then the entity is not capable of entertaining any long-run interest in the continuation of its life. Consequently, if

required, it can be killed for various reasons, as long as this is done instantly and without causing any pain, and provided that the entity is replaced by a new creature of the same kind.

Through a critique of the major ethical alternatives, including Singer's utilitarian stance, Regan introduces his own criterion for ethical consideration: being a *subject-of-a-life*. To be a *subject-of-a-life*, an entity needs to be conscious, possess a biographical sense of life, and have experiential welfare. Once qualified as a *subject-of-a-life*, the entity is entitled to obligations and duties towards them, or as Regan calls them, *rights* that necessitate its respectful treatment and confers it with inherent value. As *subjects-of-lives*, non-human animals are thus entitled to respectful treatment and possess a categorical inherent value that must not be violated under any circumstances. Unlike Singer, for whom killing of non-persons may be ethically permissible, Regan thus assigns a categorical inherent value to all *subjects-of-lives*, viewing their killing as a violation of their inherent value. For Regan, the deficiency of Singer's view is that it is not the entity itself that is inherently valuable, but its mental contents. In fact, for utilitarians, the significance of who possesses desires or preferences is minimal, as long as the overall satisfaction of preferences remains constant. But for Regan, it is the entity itself with inherent value, that necessitates the duty of respectful treatment under circumstances in an absolute sense. Further exploration will reveal how these divergent approaches lead to different practical consequences.

Finally, we will delve into Nussbaum's capabilities approach, which is Aristotelian in its core, although it borrows major elements from both Singer's utilitarian and Regan's rights-based approaches. According to Nussbaum, as long as an entity has fundamental needs and capabilities, regardless of whether it is human or non-human, a dignified life for that creature is one that enables it to satisfy its needs and develop its capabilities, provided that this will cause no harm to others. Like Singer, she thinks of sentience as the primary criterion for having capabilities. These capabilities grant the creature the entitlement to flourish, and human society and our political system must take the required practical steps to ensure the implementation of this entitlement by incorporating it into the sphere of basic justice, which is the main concern of Nussbaum's capabilities approach.

After assessing the main ideas of these contemporary animal ethicists, I will aim at a comprehensive understanding of their approaches by exploring how they have addressed the critiques of each other.

The second chapter of this study will engage in Avicenna's perspective to the moral status of animals. Since Avicenna did not address the question in a systematic way comparable to modern animal ethicists, we need to reconstruct his potential response to the question of the moral status of animals based on his metaphysics, his psychology, and his remarks concerning non-human animals.

To accomplish this, I begin with an exploration of his natural philosophy, delving into two main topics, namely, *animal capabilities* and *animal in-capabilities*. Under the former heading, I will investigate those capabilities that Avicenna explicitly attributes to animals. We will see that in his hierarchical scheme of

being, he places the animal soul lower than the human soul but higher than the vegetative soul. Animals possess vegetative faculties, such as nutrition, growth, and reproduction, alongside faculties specific to animals, like perception and voluntary movement. This gives animals a variety of mental capabilities, including *external* and *internal* perceptions, like imagination and estimation (*wahm*), which governs all the other animal faculties. We will find that, for Avicenna, animal mental life is *non-conceptual* and relies on particular estimative intentions (*maʿnā*). In fact, for him, non-human animals cannot have any conception (*taṣawwur*), for as a byproduct of the rational soul, conception is exclusive to the human species. Consequently, under the second heading of incapabilities, I will explore how the absence of intellection in non-human animals denies them various capabilities, including social life, morality, speech, the perception of time, prudence, and intellect-related affections, such as amazement, weeping and laughter. Indeed, Avicennian metaphysics absolutely precludes the attribution of these capabilities to animals, because they are grounded in the rational substance that is exclusive to human beings, and that cannot come in degrees due to Avicenna's rejection of the idea of gradation or movement in the category of substance. This perspective leads him to perceive non-human animals as having an entirely different type of self-awareness – namely, an estimative bodily awareness – compared to the immaterial rational self-awareness he attributes to humans.

Having said this, Avicenna's theory of non-human animals as sentient entities entails that they deserve compassionate treatment from us. In fact, the fact that non-human animals lack intellection does not mean excluding them from the moral sphere. At the same time, however, it does not prohibit their use for human purposes either. The superior status of having a rational soul grants humans the permission to use animals for their needs, provided this aligns with compassion and duly avoids causing them pain and suffering – an approach analogous to modern perspectives in animal welfarism.

In the third chapter, we will explore how Ṣadrā might have responded to the main questions of this study. Just like in the case of Avicenna, his response to the claim concerning the moral status of non-human animals must be reconstructed based on his central metaphysical ideas and his remarks concerning animals. Following this procedure, and from an ontological point of view, we will see that the main Ṣadrian metaphysical elements, such as his *existentialism* and the doctrines of *gradation* (*tashkīk*) of existence, *substantial movement*, and *transformation of species*, provide a foundation for a theory, according to which the entire realm of existence, including all existing things, are nothing but different degrees, modes, or manifestations of pure existence, or God. In this theory, the hierarchical manifestation that shows itself in the form of the multiplicity of existents extends from God to the lowest level of prime matter. Unlike Avicennian metaphysics, which drew insurmountable boundaries between species forms, Ṣadrā's doctrine of movement in the category of substance blurs the lines between different species, making the species less fixed and not as decisive as they are in the Avicennian framework. This results in the

possibility of intermediary species with degrees of properties possessed to a greater degree by higher species, which leads to a greater continuity and interconnectedness between the species.

In his psychology, Ṣadrā also diverges from Avicenna. While Avicenna considered the rational and intellectual soul as the distinguishing feature of the human species and regarded estimation as a material faculty that perishes in death, Ṣadrā associates estimation with rationality and considers it an immaterial faculty. Linking estimation to rationality, Ṣadrā refers to it as the descended intellect that perceives rational concepts in association with particular sensible forms. This perspective fosters greater continuity between human and non-human animal species.

From an epistemological perspective, Ṣadrā's doctrine of the immateriality of all kinds of perception, including the imagination, paves the way for the resolution of the problem concerning the resurrection of those souls that are unable to attain intellection, i.e., the only element which can persist in death– a problem in which he found Avicenna's solution deeply unsatisfactory. In other words, if it is only intellect which can persist afterlife, how the people who haven't been able to reach intellection and other species of animals as well, their worldly pain and sufferings could be retributed. The Ṣadrian doctrine of imaginal immateriality proves fruitful for the possibility of the resurrection of non-human animal souls – a concept which Avicenna's metaphysics would not permit and which would pose a problem for his theodicy.

Finally, in response to the question of animal suffering or the question of the moral status of animals in Ṣadrian philosophy, we will see that the Ṣadrian principles can be used to support a form of care ethics and a notion of guardianship toward the entire existence, including non-human animals. I will show that there are two possible readings of guardianship – a minimal and a maximal reading. In the minimal reading, Ṣadrā, like Avicenna, considers animals as objects of compassionate treatment, and although we can continue to use them for different purposes, this must be done with a consideration of their welfare. On the other hand, according to the maximal reading, if there are more humane alternatives to the various ways of using non-human animals, we are not only prohibited from using them, but we also have the responsibility to conserve them by providing the necessary conditions for them to actualize their essential capabilities. To achieve a god-like state as perfect humans and real philosophers, it becomes our primary duty to show care and concern for the lower species. This results in the thesis that according to Ṣadrā, the hierarchy of existence, is a hierarchy of compassion and concern, rather than a hierarchy of dominion and suppression.

1 CHAPTER 1: THE MORAL STATUS OF ANIMALS IN CONTEMPORARY ANIMAL ETHICS

In this chapter, I am going to have a look at the three major ethical theories in the field of contemporary animal ethics, by reconstructing their systems of ethical thought, and looking at their main elements, with the concentration on their criterion of ethical consideration and the status of animals in them. To do this, in the first part, I try to depict Peter Singer's utilitarian approach, which is well-known as *animal liberation.* In the second part, I am going to reconstruct the main features of Tom Regan's rights-view, famously known as the *animal rights* approach. In the third part, I have to describe Martha Nussbaum's approach in this regard, which is known as the *capabilities approach*. Having done this, I intend to assess these three views by having a look at the internal dialogue which has existed between them, and try to find each thinker's criticisms and responses to the other one. Because of the limitations with regard to the current project, and since my main objective is to assess the moral status of animals between the two most important and paradigmatic thinkers in the Islamic world, i.e., Avicenna and Mullā Ṣadrā, I do not have enough time and space to go through these modern thinkers by examining the criticisms of them by other approaches that we haven't mentioned. This is why I have to just limit assessing these three views to the existing criticisms between themselves. Finally, I have to mention the importance of the chapter and how it can contribute to our study of medieval and early modern Islamic philosophy.

1.1 Peter Singer's animal liberation

As the title of the most famous of Peter Singer's works, i.e., *Animal Liberation*, indicates, he calls his own ethical approach toward non-human animals as *animal liberation*, rather than something like animal rights, which is the title adopted by Tom Regan for his approach. In fact, the reason behind it is related to Singer's utilitarian approach. As we will see, in his view, there is not something like *categorical inherent value* for an entity, regardless of its capacities, whether humans or non-human animals, that makes it valuable forever in all supposed conditions. In this sense, a creature gets its value dependent on its own capacities as far as they're existing in it. Singer, following Jeremy Bentham, who described *natural rights* as nonsense, prefers not to use the term ethical rights, because as he says

> "I am not convinced that the notion of a moral right is a helpful or meaningful one, except when it is used as a shorthand way of referring to more fundamental moral considerations, such as the view that for all normal circumstances we should put the idea of killing people who want to go on living completely out of our minds."[3]

By *more fundamental moral considerations*, he means those kinds of interests that are required for every living creature. In this way, "we can argue for equality for animals without getting embroiled in philosophical controversies about the ultimate nature of rights."[4] Therefore, it seems that Singer, as a utilitarian, prefers - for practical reasons and in order to not get involved in philosophical conflicts about the nature of rights, and following the new liberation movements (such as black liberation) - to use the popular term *liberation* instead of *rights*, although in some cases he might use the term right but in his own specific usage, i.e. as *more fundamental moral considerations*.

To find out his view on animal liberation, we should have a look at some of his key philosophical ideas. We should start with *equality*.

1.1.1 Equality

Singer starts his view on animal liberation with an explanation of the idea of equality and firstly explicates what equality means in liberation movements, including liberation movements of other races or sexes. When we say that men and women or blacks and whites are equal, what does it mean and how can it be formulated in a sensible way? When we say that men and women or blacks and whites are equal, by 'equality' do we mean the factual equality in capacities and capabilities between these groups? Singer's answer is negative. He points to the capability of giving birth, and following that the ability of abortion in women as a different capability between men and women that shows that the equality

[3] *Singer, Practical Ethics*, 81
[4] *Singer, Animal Liberation*, 8

between different sexes cannot be of the factual sort.[5] As he thinks, this would be also the case with regard to races.[6]

In other words, even if we cannot in advance speak about *X*'s capacities based on the race or the sex that it may belong to, however, it does not follow that we cannot make a general claim about races or sexes. It is likely, for instance, that by assessing different capacities among different races or sexes we can reach different averages in their capacities and this is why the case for equality would always be in threat. Even if these different averages are claimed to be due to accidental traits, like poor education and area or continuing discrimination, etc., rather than essential ones like genetic features, that can make ending discrimination easier, however, if one day, it is established that "differences in ability did after all prove to have some genetic connection with race, racism would in some way be defensible."[7]

This means that the idea of factual equality of other races or sexes is neither possible nor desired. As we've seen, it is not possible with regard to different sexes because the different capacities between them, like abortion, are simply clear. It is not desired, since it is always likely that by denying that they are accidental, they are ascribed to races or sexes as such, in an essential manner.

Singer thinks that conceiving racism or sexism as wrong on the basis that they commit fallacious generalizations concerning races or sexes that people may belong to, rather than taking into consideration individuals' capacities from every race or sex whatsoever, wouldn't be in a secure position regarding possible criticisms. In other words, the differences are related to individuals rather than races or sexes they belong to. It would be in a weak position, because there is always the threat of, for instance, "the interests of all those with IQ scores below 100 be given less consideration than the interests of those with ratings over 100. Perhaps those scoring below the mark would, in this society, be made the slaves of those scoring higher."[8]

Now when we know, in Singer's view, how equality should not be conceived, we can ask, after all, what is equality? In what sense can equality between men and women or blacks and whites be sensible? Singer proposes the principle of equality as "a moral idea, not an assertion of fact."[9] He explains:

> There is no logically compelling reason for assuming that a factual difference in ability between two people justifies any difference in the amount of consideration we give to their needs and interests. *The principle of the equality of human beings is not a description of an alleged actual equality among humans: it is a prescription of how we should treat human beings*."

Therefore, Singer puts prescriptive equality against factual and descriptive equality, and whereas he considers the former acceptable and sensible, he observes the latter indefensible. So, equality among humans is *equal consideration*

[5] See, for instance: *Singer, Animal Liberation*, 2
[6] *Singer, Animal Liberation*, 4
[7] *Singer, Animal Liberation*, 4
[8] *Singer, Animal Liberation*, 3
[9] *Singer, Animal Liberation*, 5

to their needs and interests. In other words, equality is not a description about '*is*'s but a prescription about '*ought*'s.

In other words, whether a given person may have this or that capacity, or belongs to this or that sexual, or racial group, none of these characteristics are good reasons to give less weight to his/her needs, desires or preferences (interests) or ignoring them.

1.1.2 All animals are equal

This much on equality for other races and sexes. Now we can ask how Singer has applied it to other species? In other words, in what sense he believes that without applying the equality to other species, we cannot speak in a sensible manner about the equality for other races and sexes.

In Singer's view, belonging to other species, like belonging to other races or sexes, is not something that can affect equality. If we think about equality as the equal consideration of interests, as long as an entity has interests, regardless of the race, sex or species it may belong to, its interests must be considered equally. And just as having different capacities in other races or sexes cannot affect equality, this is also the case when it comes to other non-human species as well. In other words, thinking of belonging to a species as a criterion for having interests is as nonsensical as considering belonging to a race or sex as another criterion. This is the meaning of Singer's words that, "taking into account the interests of the being, whatever those interests may be, must, according to the principle of equality, be extended to all beings, black or white, masculine or feminine, human or nonhuman."[10]

However, it should be noted that, as Singer says, different capacities in other races, sexes and species can end up in different rights, in the sense of more fundamental moral considerations, without this affecting the case of equality.[11]

In other words, when we say that men and women are equal, it does not mean that men must have the same right to abortion as women in order that the case of equality to be meaningful. Similarly, when we say that all animals, irrespective of the species that they belong to, are equal, this does not mean other species, horses, for instance, must have the right to vote so that the case for equality can be realized. Depending on the different capacities of a given creature, the case of equality can lead to different rights and treatments.

However, why is it that without applying equality to other species we cannot reasonably speak about the equality of races and sexes? According to Singer, if equality is the equal consideration of interests, as far as an entity has interests, irrespective of the race, sex or species it may belong to, its interests must be considered. Since the criterion of equality is applicable to other species, if we only apply it to our species and not others, for the reason that they do not belong to us, we have discriminated against them and used a double standard. This is the meaning of Singer's statement when he says,

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[10] *Singer, Animal Liberation*, 5
[11] *Singer, Animal Liberation*, 2

> "if we examine more deeply the basis on which our opposition to discrimination on grounds of race or sex ultimately rests, we will see that we would be on shaky ground if we were to demand equality for blacks, women, and other groups of oppressed humans while denying equal consideration to nonhumans."[12]

This is why Singer thinks that discrimination on the basis of species, or speciesism, has the same logic as racism and sexism,

> "racists violate the principle of equality by giving greater weight to the interests of members of their own race when there is a clash between their interests and the interests of those of another race. Sexists violate the principle of equality by favoring the interests of their own sex. Similarly, speciesists allow the interests of their own species to override the greater interests of members of other species. The pattern is identical in each case."[13]

Therefore, all animals are equal in the sense of equal consideration for their interests, and belonging to species other than humankind cannot affect equality in the sense of ignoring their interests.

1.1.3 Interests

It is time to ask about Singer's criterion for including non-human animals in the sphere of ethical consideration. What is his criterion? Singer, following Bentham, sees the capacity of feeling pain and pleasure (or being sentient) as a prerequisite or criterion for having interests. He says, "the capacity for suffering and enjoyment is *a prerequisite for having interests at all*, a condition that must be satisfied before we can speak of interests in a meaningful way."[14]

In other words, as long as an entity is not sentient, speaking about its interests would be nonsense. Singer's example, in this case, is that of a stone and a mouse: whereas it is nonsense to say kicking a stone along the road is against the stone's interests, because a stone cannot feel pain and "[n]othing that we can do to it could possibly make any difference to its welfare," on the other hand, to say kicking a mouse is against its interests is rational and sensible in the sense that it "at an absolute minimum, [has] an interest in not suffering, [and if it is] being kicked along the road, . . . it will suffer."[15]

Singer thinks that the capacity of being sentient is not similar to other characteristics such as the ability of language or higher mathematics. In fact, it is not so that an entity without the ability of language or higher mathematics cannot have an ability for pain and pleasure. What gives us a criterion to consider an entity with interests is not these kinds of abilities, just like belonging to this or that race or sex couldn't be a good criterion for having interests. Since from the skin color or the gender it cannot be concluded that a person is without interests, similarly from not having the capacity to reason (such as severely brain damaged human beings) we cannot conclude that the being does not have interests. As he says, "if possessing a higher degree of intelligence does not entitle one human to

[12] *Singer, Animal Liberation*, 2-3
[13] *Singer, Animal Liberation*, 9
[14] *Singer, Animal Liberation*, 7
[15] *Singer, Animal Liberation*, 8

use another for his or her own ends, how can it entitle humans to exploit nonhumans for the same purpose?"[16]

What is of direct relevance to interests is the capacity for pain and pleasure. If an interest is a desire or preference that an entity may have, regardless of race, sex or the other capabilities that they might have, as far as they are sentient, none of these other characteristics can be relevant to their capacity for pain and pleasure,

> "if a being suffers there can be no moral justification for refusing to take that suffering into consideration. . . . If a being is not capable of suffering, or of experiencing enjoyment or happiness, there is nothing to be taken into account. So the limit of sentience . . . is the only defensible boundary of concern for the interests of others. To mark this boundary by some other characteristic like intelligence or rationality would be to mark it in an arbitrary manner. Why not choose some other characteristic, like skin color?"[17]

According to Singer, since plants aren't sentient, there is not something to be regarded about them. On the basis of observable behavior, lacking a central nervous system and also the evolutionary function of pain for "moving away from a source of pain,"[18] we cannot conceive that plants are sentient and then have interests. Whereas there are different evidences in favor of an *inference* of pain and pleasure in non-human animals, especially those ones who are most closely related to us, such as mammals and birds. On the basis of animal behavioral reactions (such as writhing, facial contortions, moaning, yelping or other forms of calling), resemblance of their nervous system and their physiological responses to ours (including rising and falling of blood pressure, dilated pupils, perspiration, fluctuations of pulse rate in stressful situations) and also evolutionary function of pain that increases the chance of survival for other non-human species, we can rationally draw a conclusion for pain and suffering in them.[19] Singer uses the term *inference* for the existence of pain and pleasure in other sentient subjects, because it is not an undeniable philosophical proof and it is liable to be doubted, and on the basis of different evidences it is rational. These characteristics are also not limited only to non-human animals. With regard to finding out the existence of pain in human-beings as well, it would be a rational inference in the best conditions, because on a theoretical level it can be severely objected and doubted. Therefore, Singer differentiates between the existence of pain in theory and its existence in practice; while we can have the most radical and severe doubts about the existence of pain in other subjects, including humans, and even having severe doubts about the existence or non-existence of others, however, in practice, almost none of us have doubts that the signs we observe from others are real and indicating pain or pleasure.[20] He says, "so to conclude: there are no good reasons, scientific or philosophical, for denying that

[16] *Singer, Animal Liberation*, 6
[17] *Singer, Animal Liberation*, 8
[18] *Singer, Animal Liberation*, 235
[19] *Singer, Animal Liberation*, 11. As we will see in chapters on Avicenna and Mullā Ṣadrā, they also adopt the same rationale against plants' sentiency, as they can not escape from the source of pain, and thinking of pain as a mechanism required for the survival of the entity.
[20] *Singer, Animal Liberation*, 10-11

animals feel pain. If we do not doubt that other humans feel pain we should not doubt that other animals do so too."[21]

So, he argues that, "there can be no moral justification for regarding the pain (or pleasure) that animals feel as less important than the same amount of pain (or pleasure) felt by humans."[22]

1.1.4 Why not life?

Now we can ask why we shouldn't take one more step back and consider having life, instead of being sentient, as a criterion of ethical consideration? One can say, as far as a being is alive, whether sentient or insentient, it has the core interest of keeping alive, and following that, having interests in different life-elements. So, if plants aren't sentient, but they are alive, and thriving in different manners, by looking for water, light and nutrition, to stay in living conditions, then why cannot we say every living creature has an interest in, or right to, life?

Singer responds to these questions negatively. He thinks that talking about interest in insentient beings is non-sense. As he says, if we are able to speak about plants' interests in continuing life, why cannot we speak of a river's interest in joining the sea or a guided missile's interest in blowing up its target? Although we may use the term *interest* in these instances also, it should just be taken metaphorically, not in the literal manner, as persons like Albert Schweitzer are guilty of this kind of fault in their ethical views. In other words, we cannot use the term interest for these things, because in the absence of will, having an interest is out of place. Plants, although alive, are, like other non-living things, without any will in pursuing their objects. Using the terms *seeking* or *willing* water, food, light, etc., for plants can just be metaphorically correct, because they are not able to engage in any intentional behaviors. As he responds to Holmes Rolston, they are nothing more than the programmed things which are directed by natural selection in pursuing their living needs, without being conscious of it, as a guided missile in blowing up its target does not have any will of its own and just controlled by others. But Holmes Rolston, finds this comparison by Singer flawed, where the latter says,

> "natural selection picks out whatever traits an organism has that are valuable to it, relative to its survival. When natural selection has been at work gathering these traits into an organism, that organism is able to value on the basis of those traits. It is a valuing organism, even if the organism is not a sentient valuer, much less a conscious evaluator. And those traits, though picked out by natural selection, are innate in the organism, that is, stored in its genes. It is difficult to dissociate the idea of value from natural selection."[23]

Singer responds to Rolston by noting that whether a thing is programmed by natural selection in its genes or by human design and manufacture in its computer does not make a difference. According to him, Rolston cannot explain "why natural selection gives rise to valuing in the organism, but human design

[21] *Singer, Animal Liberation*, 15
[22] *Singer, Animal Liberation*, 15
[23] *Singer, Practical Ethics*, 250

and manufacture does not. He must be aware that there is something odd about the idea of a valuer that is not sentient or conscious."[24] In other words, to be a valuer a thing, it shouldn't be necessarily programmed by natural selection. We humans can also build a solar-powered machine which looks automatically for the sunlight to get the energy for itself. Then, he concludes that, despite important differences between living things and human manufactured things,

> in the case of both plants and machines, it is possible to give a purely physical explanation of what the organism or machine is doing; and in the absence of consciousness, there is no good reason why we should have greater respect for the physical processes that govern the growth and decay of living things than we have for those that govern non-living things."[25]

In fact, Singer, contrary to the Spinozaian conception of the world as *conatus*, or the Schopenhauerian conception of the world as *will to survive*, ties together having *will* to something to being conscious. Using the term will, interest and so forth for non-conscious creatures, whether living or non-living ones, he thinks is just metaphorically acceptable. Plants, like machines, cannot have any will to something, and consequently any interests, preferences, desires or yearnings, because they aren't conscious. Therefore, it is nonsense to be concerned about a creature which does not have any interest.

1.1.5 Personhood and killing

We have seen that Singer's criterion for having interests is being 'sentient'. But the other crucial term in his ethical theory is the notion of 'personhood', which plays a major role in it. Now we should ask about the concept of *personhood* and its relation with *sentiency*. In other words, is every sentient being a person? What is the criterion for being a person?

Singer, in a broad sense, classifies sentient beings in two categories; *merely conscious* beings and *self-conscious* ones. Merely conscious beings include "[m]any beings [that] are sentient and capable of experiencing pleasure and pain, but they are not rational and self-conscious and, therefore, are not persons."[26] This kind of being does not have any conception of itself over time. So to speak, they are only conscious of immediate pains and pleasures. On the other hand, "[a] self-conscious being is aware of itself as a distinct entity, with a past and a future. A being aware of itself in this way will be capable of having desires about its own future. ... [a] student may look forward to graduating; a child may want to go to a birthday party … ."[27] Being *self-conscious*, according to Signer, is equal to being a *person*. Personhood is just another word for self-consciousness. Following Joseph Fletcher and John Locke, he considers a person as "a rational and self-aware being," who has abilities like "self-awareness, self-control, a sense of the future, a sense of the past, the capacity to relate to others, concern for others,

[24] *Ibid*.
[25] *Ibid*.
[26] *Singer, Practical Ethics*, 85
[27] *Singer, Practical Ethics*, 76

communication and curiosity."[28] Therefore, self-consciousness, personhood and rationality can be used interchangeably.

So, whereas every *merely conscious* and *self-conscious* being is sentient, it is not that each of them is a person. Only self-conscious beings are persons and the question of which beings are considered as persons is a question that can be answered on the basis of the self-consciousness criterion. Accordingly, in Singer's view, many non-human animals are classified under *merely conscious* beings.[29] This is also the case with regard to the embryo, the later fetus, the profoundly intellectually disabled child, even the newborn infant.[30] And also "there could be a person who is not a member of our species. [As] there could also be members of our species who are not persons."[31]

But the most important point that must be considered in the Singerian ethical philosophy is that whether or not a being is a person, it would be irrelevant to take into account that entity into the ethical sphere. Here, he, in my words, differentiates between being an *object of ethical consideration* and being an *object of killing,* and while he sees personhood relevant to the *question of killing*, he considers it irrelevant to *having interests* as the criterion for ethical consideration. Then, to the extent that an entity is sentient this suffices to make it an object for ethical considerations. For, as we said before, regardless of race, sex or species that an entity may belong to, pain is bad in itself, and should be prevented or minimized.[32] However, if an entity is sentient, we cannot conclude that its killing would be wrong as well. Whereas,

> "self-awareness, the capacity to think ahead and have hopes and aspirations for the future, the capacity for meaningful relations with others and so on are not relevant to the question of inflicting pain -since pain is pain, whatever other capacities, beyond the capacity to feel pain, the being may have- these capacities are relevant to the question of taking life."[33]

Therefore, according to Singer, while all animals concerning their pain and suffering are equal or have an equal value, it is not the case that their lives have an equal value. This is because whereas merely conscious animals only live in the present, i.e., they do not have any perception of the past and the future, persons or self-conscious beings are aware of themselves over time, having some desires and preferences toward their future, and "[t]o kill a person is therefore, normally, to violate not just one but a wide range of the most central and significant

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[28] *Singer, Practical Ethics*, 73-5

[29] Although, Singer initially says that many non-human animals are classified under the *merely conscious* beings, but later on speaks of different kinds of species who have been able to pass the mirror test, as a way to understand self-consciousness in other species, like primates, elephants, dolphins, etc., and those ones despite not passing the test, may have other means to having self-consciousness, on the basis of other senses than vision as the key sense of mirror test, like olfaction or audition in dogs and cats. This is why, he says "[p]assing the mirror test may show self-awareness, but failing it does not prove that an animal is not self-aware" (*Singer, Practical Ethics,* 102), and as we shall see, he speaks about the necessity of regarding them in the realm of doubt.

[30] *Practical Ethics*, Peter Singer, pp 74, 85

[31] *Singer, Practical Ethics*, 74

[32] *Singer, Animal Liberation*, 17

[33] *Singer, Animal Liberation*, 20

preferences a being can have."[34] In fact, according to Singer's preference utilitarian approach, on the basis of which "we should do what, on balance, furthers the [satisfaction of] preferences of those affected,"[35] since merely conscious beings do not have long-term interests, it means that they do not have a preference or desire toward the future, whereas self-conscious beings that are able to have long-term interests can have stronger preferences toward their future interests and this ability makes their lives more considerable than the first group. Then, if we were to make a choice between a normal human's life and a normal dog's life, a human's life would be preferred because a human-being is more self-conscious than a dog and has more preferences and desires toward others and the future. As a result, "to kill a normal human against his or her wishes is to thwart that person's most significant [forward-looking] desires."[36] So, Singer in this way regards *equal consideration to interests* against *equal consideration to lives*, and while admitting the former, disagrees with the latter. This approach, in his view, is not speciesist or based on an arbitrary preference of the interests of the members of our species, because whereas in most cases a normal human's life may be more valuable than a normal dog's life, there can be some cases in which a normal dog's life can be more valuable than a human's life, such as a human infant or a human with severe mental problems.

But is it not so that, only killing the persons is ethically significant and it is not the case with regard to non-persons? What can make killing non-persons wrong? In other words, if our criterion for ethical treatment with a sentient being is not violating its interests, when a non-person sentient being that does not have any interests in the future is killed without inflicting any pain or suffering, have we made a mistake? If not, what can make killing these beings wrong?

According to preference utilitarianism, since merely conscious beings do not have any perception of themselves over time, they do not have any interests in the future and continuing life. Death and killing for this sort of being does not lead to any loss of forward-looking preferences. Therefore, if these beings are killed instantly and without inflicting pain that violates their sentience, any desire and preference for them is not violated and there hasn't been done any wrong to them ethically.[37]

So, does it mean that we do not have any limitation on killing non-persons and we can kill them, for example, for food? Firstly, in Singer's view, whether or not this or that being is a person is difficult. In the conditions that "when we can avoid doing so [i.e. killing], and there is real doubt about whether a being we are thinking of killing is a person, the best thing to do is to give that being the benefit of the doubt."[38] Giving a being *the benefit of the doubt* means that we cannot use it for food as far as we can tell. Secondly, as Singer says, this criterion would be more strict when we consider personhood as a matter of degree, not a black and white matter so that in this case we can classify beings as *non-person*, *near-person*

[34] *Singer, Practical Ethics*, 80
[35] *Singer, Practical Ethics*, 13
[36] *Singer, Practical Ethics*, 76
[37] *Singer, Practical Ethics*, 86
[38] *Singer, Practical Ethics*, 103

or *fully-person*, and as much as its consciousness is regarded central in its life and in having some desires for the future this can make its killing wrong.[39] Thirdly, this kind of thinking does not make rearing animals in intensive conditions and in factory-farms valid.

1.1.5.1 The replaceability argument and the preference utilitarian values

Now it is noteworthy to consider the *replaceability argument* and Singer's view on it, because it can make more clear his view on killing and other related things. According to the argument, meat-eaters can compensate for the loss of a killed animal by replacing it with a new one. Accordingly, "if we kill one animal, we can replace it with another as long as that other will lead a life as pleasant as the one killed would have led, if it had been allowed to go on living." Singer says that hedonistic *total view* utilitarianism accepts this argument because it observes sentient beings as receptacles for some valuable experiences, i.e. pleasure. As a result, what is in itself valuable is pleasure and pleasant experiences, and beings are like receptacles for these emotions. Insofar as there is another receptacle to which this valuable thing can transfer, it does not matter if a receptacle gets broken. So, when an animal is killed and then replaced with another, the total of pleasure, as the valuable thing, would remain stable.[40]

While Singer criticizes the replaceability argument from different aspects,[41] however, he regards it as generally true about non-persons. If being a person from the hedonistic utilitarianism point of view can only be relevant indirectly based on the consequences it may have for others, however, in Singer's view, being a person as having "the capacity to see oneself as existing over time, and thus to aspire to longer life (as well as to have other non-momentary, future-directed interests),"[42] are characteristics that could directly affect a being, regardless of the consequences that this loss may have for others, and make it irreplaceable. In fact, whereas Singer agrees with hedonistic utilitarianism on the replaceability of non-persons, because he thinks that merely conscious beings do not have any interest in continued life, lacking any perception of themselves over time, and "more nearly approximate the image of receptacles for experiences of pleasure and pain,"[43] this is not the case with persons because they have interests and preferences in continuing their lives and this makes killing them wrong, even though it is done instantly and painlessly. This is why he concludes that it is possible to regard merely conscious animals as interchangeable with one another in a way that beings with a sense of their own future are not. This means that in some circumstances – when animals with pleasant lives are killed painlessly, their deaths do not cause suffering to other animals and the killing of one animal makes possible its replacement by another that would not otherwise have lived – the killing of animals without self-awareness is not wrong.[44]

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[39] *Singer, Practical Ethics*, 104
[40] *Singer, Practical Ethics*, 105-6
[41] See, for instance: *Singer, Practical Ethics*, 106-7.
[42] *Singer, Practical Ethics*, 111
[43] *Singer, Practical Ethics*, 112
[44] *Singer, Practical Ethics*, 120

Although Singer considers killing self-conscious animals wrong, he does not think of its wrongness in an absolute and inherent way, in the sense that, he thinks, there might be some circumstances in which, if a self-conscious animal is not killed instantly and painlessly, it may experience a fully painful life before its death. In his view, in this hypothetical circumstance, under so special and limited conditions which might happen rarely, killing self-conscious animals could be ethical as well. And as we mentioned earlier, this implies that he does not believe in a *categorical inherent value* that can never be violated.

1.2 Tom Regan's Animal Rights

Tom Regan formulates his own rights-based ethical theory, and following that his theory of animal rights, through criticizing some major ethical theories in moral philosophy. By showing that the existing approaches are unsatisfactory and counterintuitive, he thinks of the transition to a new ethical theory which is more complete and comprehensive, one that preserves their advantages and abandons their weaknesses. He thinks of his theory as an alternative to two different approaches in moral philosophy: the *direct duty views* against the *indirect* ones. Accordingly, with the central focus on the ethical treatment of non-human animals, he classifies ethical theories under two broad categories of *direct* and *indirect* duty views. Therefore, it seems required, for a better understanding of his ethical stance, to have a glimpse of his criticisms of other ethical theories, where the right view is to be an ideal alternative to them.

1.2.1 Indirect duty views

As Regan says, *indirect duty views* in moral philosophy are those that, because of a variety of different reasons, deny our direct duties and obligations toward non-human animals. According to them, even if there are some obligations toward animals, those ones are not directed at them, but rather towards some humans whose interests are tied with them. The variety of reasons for these views are diverse; they vary from the view that non-human animals are not created in the image of God, to the view that they are not able to use abstract principles. However, the three moral theories that Regan specifically focuses on are Descartes' view and contractarianism, whether simple or the Rawlsian one.

According to Descartes, and also contemporary neo-Cartesians like Peter Carruthers, there are no ethical obligations towards non-human animals. In other words, non-human animals are not the objects of ethical consideration because, on this view, they are thought of as without any kind of consciousness and mental experiences and with no feelings of pain and pleasure. As Regan says, in the Cartesian moral point of view, "we do not have duties to animals, just as we do not have duties to watches … ."[45] In fact, Descartes ties having interests with

[45] *Regan, Animal Rights, Human Wrongs*, 34

the ability of language and consequently having consciousness and rational will. Animals are without interests because they are not conscious. In other words, they are not aware of themselves and their surroundings; they are *automata*. They are not conscious because they do not have the tool for expressing and transferring it, i.e., language. However, tying language to consciousness, as Regan argues, cannot stand up under logical scrutiny, for the reason that human children in the preverbal level are aware of their surroundings and this allows them to learn the language.[46]

As for the simple contractarianism, there is not any direct duty towards non-human animals, because direct duties belong to those who consent, in a procedure known as the social contract, on some things that are in their interests such as X to be agreed as a moral rule. Since non-human animals, and some of humans, including children, some ethnic minorities, etc., are not participants, they cannot take part in framing and then cannot be brought into the ethical sphere in themselves, unless the rational human participants' interests are in favor of them. Regarding Regan's objections to this version of contractarianism, "[t]he first concerns how the position distorts the notion of [elementary] justice; the second traces some of the morally unacceptable implications this distortion allows."[47] Justice in an elementary sense, according to Regan, means that the interests of all beneficiaries should be counted equally. If *X* and *Y*, for instance, have an interest in having access to food or shelter, its importance should be counted equally for them, and it would be unfair that *X*'s interests counted as being of greater importance than *Y*'s. In other words, "[e]qual interests count equally."[48] Otherwise, instead of following this ethical approach of the notion of elementary justice, justice would be a function of contract framers' decision in the sense that it would be their decisions that determine which ones' interests must be considered. On the other hand, this ethical approach can lead to various kinds of discrimination, whether against non-human or human animals, because those who aren't participants, such as an ethnic group, children, animals and so on, are excluded as *outsiders from* the territory of moral rights and concerns. "[I]t matters not so long as the contractors have decided that the suffering of "outsiders" does not matter morally. Such an outlook takes one's moral breath away … ."[49]

Contrary to the simple contractarianism, according to the Rawlsian one moral rules are:

1. determined by a different procedure from simple contractarianism, the procedure known as making decisions behind a *veil of ignorance.* In other words, "as would-be contractors, Rawls invites us to ignore those characteristics that make us different -such characteristics as our race and class, intelligence and skills, even our date of birth and where we live. We are to imagine that our knowledge of such personal details is hidden from us by what Rawls calls a 'veil of ignorance'."[50]

[46] see: *Regan, Animal Rights, Human Wrongs*, 35
[47] *Regan, Animal Rights, Human Wrongs*, 41
[48] *Ibid*.
[49] *Regan, Animal Rights, Human Wrongs*, 42
[50] *Regan, Animal Rights, Human Wrongs*, 43

2. determined among those who have a *sense of justice*, i.e., "normally effective desire to apply and act on the principles of justice, at least to a minimum degree,"[51] because they would be the members of a community that would be asked to participate in formulating the basic rules of justice. Regan holds that having a sense of justice as a criterion for being considered in the sphere of ethical rights is too high a bar to meet. For in that case, many humans, such as children and those with severe mental impairments, and also non-human animals, could not satisfy it so as to be brought into the ethical rights and concerns - unless indirectly and when other participants' interests extend to in them. He thinks that this is unacceptable because of the reasons on the following pages, and shows that the Rawlsian version of contractarianism is unsatisfactory and insufficient.

1.2.2 Direct duty views

As opposed to the first views, the so-called direct duty views, are the ones that attribute direct duties toward non-human animals. Regan thinks of *cruelty-kindness* and *utilitarianism* (in particular, he means, Singer's preference utilitarianism) as belonging to this category. Despite the fact that these views have the advantage of bringing animals into direct ethical consideration, however, they have their own weaknesses.

According to the *cruelty-kindness* view, the object of ethical consideration would be everyone who can be treated cruelly or kindly. Everyone who is so should be brought into the ethical sphere. Accordingly, contrary to the simple contractarianism, all minority ethnic groups and all humans, regardless of their mental capacities, and contrary to the Rawlsian one, all humans, whether they have the sense of justice or not, as well non-human animals, all would be regarded as the objects for ethical consideration. However, according to Regan's objection, the weakness of the view is assessing people's acts with their moral characters (confusing people's characters with what they do in assessing an act as right or wrong). In other words, a wrong act is wrong, even if it is done kindly, and the doer's kind character does not make it right. Therefore, "[t]he existence of kind exploiters of animals does not make exploiting them right, anymore than the existence of cruel abortionists makes abortion wrong."[52]

Preference utilitarianism is another direct duty view towards animals. Since we have already seen Singer's ideas, I do not repeat them and only suffice to mention Regan's objections against him. According to him, the main objections against Singer's preference utilitarianism (and also the hedonistic one) are:

Firstly, if all beneficiaries' preferences have to be counted in the process of assessing one act as right or wrong, this is also the case regarding the preferences of those who take pleasure in evil preferences. In other words, if we are to treat all preference satisfactions similarly, fairly and coherently, this would be an inevitable result. Regan thinks of this very procedure in assessing one act as

[51] *Regan, Animal Rights, Human Wrongs*, 43
[52] *Regan, Animal Rights, Human Wrongs*, 56

morally right or wrong as offensive. For example, how can rapists' preference satisfactions be counted at all? "The preference satisfactions of those who act in these ways should play no role whatsoever in the determination of the wrong they do. We are not to evaluate the violation of human dignity by first asking how much the violators enjoy violating it."[53]

Secondly, and following the first, whether an act is morally right or wrong cannot be determined before it is done. Its value can be understood after the exact utilitarian calculations and when all beneficiaries' preference satisfactions are weighed. For instance, we cannot issue a general judgment that lying is wrong, but rather after the exact calculation of all beneficiaries' interests in the process of lying we can evaluate its value.

Thirdly, to reach the best overall consequences (the greatest preference satisfactions for beneficiaries), this view allows the worst actions and procedures. For example, "according to consistent preference utilitarianism [, killing] the innocent in such cases, to murder them, not only is not wrong -if we assume their murder brings about the best overall consequences, murdering the innocent is morally obligatory."[54]

According to the Regan's fourth objection to the view, even though preference utilitarianism believes that all similar interests must be counted equally, because of its concentration on the *consequences* of intensive animal farming, it can reach the conclusion that their way of farming animals might be right and moral. This conclusion could be reached when the interests of millions of people whose interests are in animal farming are counted as equally as the interests of those animals that they raise. This is why, Regan says, "there is little wonder that different people can reach different conclusions about whether raising animals for human consumption is wrong, judged from a utilitarian perspective. Singer, a utilitarian, thinks it is. Frey, another utilitarian, disagrees."[55]

In other words, Regan's objections are about the difficulty of calculating all consequences for all involved people in a specific action on the one hand, and different consequences that could be reached through these calculations on the other hand.

Finally, in the process of utilitarian calculations, the absence of giving more weight to some basic preferences and interests is clear. According to preference utilitarianism, all preference satisfactions have to be counted equally, instead of some basic preferences, that could be specified as *welfare interests*,[56] are regarded

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[53] *Regan, Animal Rights, Human Wrongs*, 61
[54] *Regan, Animal Rights, Human Wrongs*, 62
[55] *Regan, Animal Rights, Human Wrongs*, 65
[56] According to Regan, interests can be classified in two different categories. He says, "The interests people have are of two kinds. Preference interests refer to what people are interested in, what they want to do or possess. Interests of this kind often differ greatly between different individuals. . . . Welfare interests are conceptually distinct from preference interests. Welfare interests refer to what is in our interests, including those things and conditions that are necessary if we are to have a minimally satisfactory existence, both physically and psychologically." (*Regan, Animal Rights, Human Wrongs*, 32-3)

with more weight than the others, that could be determined as *preference interests*. Even if it is not so, and some preferences have to be given more weight, it is not clear how it could be done in the utilitarian calculations. The main issue, as the first objection explained, is that, in one ethical procedure, many interests, especially those that could be reached through exploiting others, have not to be considered and counted at all. This is the case with regard to those human preferences and interests that could be reached by exploitations of non-human animals. Considering and counting these interests in themselves shows us a real ethical problem.

1.2.3 Towards a comprehensive theory

After explaining the strengths and the weaknesses of some major ethical theories regarding the status of human and non-human animals, Regan formulates his own theory as the *rights view*, which keeps their advantages, and abandons their disadvantages as an Ideal theory.

1.2.3.1 Inherent value

Regan expounds his ethical theory through criticizing the utilitarian system of value straightforwardly. Accordingly, besides the aforementioned objections, the two main issues with utilitarianism are 1. it is the community interests, not the individual ones, that should be prioritized, if there is a conflict between their interests, and 2. It is not the individual but rather their feelings and mental states that are regarded as important. As the cup analogy indicates, not cups, but rather their contents are important. Regan holds that this is the main issue, according to which an individual is not considered valuable in itself. Therefore, according to him, as opposed to utilitarianism, "[i]nstead of thinking that *the interests individuals have* are what has fundamental moral value, we think that it is *the individuals who have interests* who have such value."[57]

He formulates his ethical theory, with a Kantian spirit, on the basis of the concept of *inherent value, when he says,*

> "Kant gives the name *worth* to the kind of value under discussion; I prefer *inherent value*, *inherent* because the kind of value in question belongs to those individuals who have it (it is not something conferred on them as the result of a contract, for example), and *value* because what is designated is not some merely factual feature shared by these individuals but is instead what makes them morally equal. To say that individuals are inherently valuable is to say that they are something more than, and in fact something different from, mere receptacles of valued mental states."[58]

Following Kant, he considers having inherent value as equivalent to being an *end in itself*. It means that, regardless of its functions, whoever has an inherent value

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For example, my interests in having access to food and shelter are basic welfare interests, whereas my interest in playing football, rather than tennis, is a preference interest that is not as important as the first kind. One can say, welfare interests are those that can provide a very basic and minimum conditions for living, as opposed to the preference ones that can provide maximum welfare conditions.

[57] *Regan, Animal Rights, Human Wrongs*, 67

58 Regan, Animal Rights, Human Wrongs, 67-8

is worthwhile in itself. It is here that Regan opposes *inherent value* against *instrumental value*. Whereas people can have instrumental value to one another, "as when a plumber fixes a leaky faucet or a dentist fills a tooth,"[59] the problems arise when the only value ascribing to a person is *merely* reduced to its instrumental worth and its inherent value is neglected. In such a case, "[w]e treat people as if they were things."[60]

Following the inherent value for individuals, we reach a duty of respect. That is, as long as we recognize the inherent value for individuals, we have to treat them respectfully, and on the other hand, as long as we treat them respectfully, we concede the inherent value to them. Therefore, as for the criterion for an act as right or wrong, Regan says, "[a]cts are right when inherently valuable individuals are treated with respect, wrong when they are treated with a lack of respect."[61]

According to Regan, the main problem with the aforementioned ethical theories is that because of the absence of inherent value for individuals, they do not believe in a direct duty of respect for them, and this is what makes them unsatisfactory and insufficient. To the contrary, he takes his theory to realize what they fail to and then excludes the weaknesses of those theories from it.

1.2.3.2 Rights

As a result, in Regan's view, every being who has an inherent value, the direct duty of respect or a right to respect belongs to it. The duty of respect is a firm principle that implies a direct duty. It means that everybody to whom the duty of respect belongs is inherently valuable, and vice versa, and then the direct duty of treating respectfully belongs to him. This duty is a justified principle in the sense that there are "the best reasons, the best arguments on its side."[62]

Regan characterizes four defining features for a moral right: 1. *No trespassing;* 2.*Trump;* 3. *Equality* and 4. *Justice*.

To formulate a right as a valid claim, he characterizes the moral right of a direct duty of respect as having the four features of a moral right, in the sense that like an invisible *no trespassing sign*, it warns us not to enter the territory of people's free choices and harm them. Using an analogy from a card game, like *a trump*, as he uses, it has the greatest value insofar as every outcome or consequence that can be obtained through its violation, whether personal or communal, cannot override it to reach its aim. Everyone who has inherent value, regardless of their race, sex, class, age, religion, etc., should enjoy the right *equally*. On the other hand, claiming the right is *claiming justice*, in the sense of demanding a right is our due or something that we are owed or entitled to have, not a generosity from others which is going to be dependent on their personal choices.

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[59] *Regan, Animal Rights, Human Wrongs*, 68
[60] *Regan, Animal Rights, Human Wrongs*, 68
[61] *Regan, Animal Rights, Human Wrongs*, 68
[62] *Regan, Animal Rights, Human Wrongs*, 73

At this point, the main question that may arise is what is the criterion for having inherent value, and following that having moral rights? In other words, which kinds of creatures may have inherent value and then moral rights?

1.2.3.2.1 Moral agents and moral patients

Before I want to answer the above question, I need to refer to a distinction that Regan makes between *moral agents* and *moral patients*. By moral agents, he means *persons* in the Kantian sense, those who are able to make moral decisions, and by moral patients, he means those who are not able to make moral decisions but can be the objects of wrong and right acts. Despite the central role of the term moral patients in his book *The Case For Animal Rights*, however, in his later works, such as *Animal Rights, Human Wrongs* and *Empty Cages*, we cannot find any trace of the term and Regan only suffices with *subjects-of-a-life*. I should inquire about each of them respectively and see what kind of relation can be found between these three essential terms in his thought.

1.2.3.2.1.1 Persons

By criticizing Kant's response to the question of the criterion for having inherent value and rights, Regan provides his own response. Kant attributed inherent value, or *worth* according to him, to persons. By persons he meant those kinds of individuals who are *autonomous* and *rational*, and it is only some human beings who can satisfy this requirement. Therefore, having inherent value and then moral rights are the privileges of the human species, because as Regan says, according to the Kantian philosophy, as it is only persons who "are rational, they are able critically to assess the choices they make before making them; because they are autonomous, persons are free to make the choices they do; and because they are both rational and autonomous, persons are morally responsible for what they do and fail to do."[63]

As far as persons' or moral agents' acts are not as a result of coercion, inevitable ignorance or a mental problem, Regan says, they would be responsible for them, because at the end they are those who make a decision to do or not to do. Regan considers the normal adult human beings as a paradigm for these individuals.[64] On the other hand, since animals are not autonomous and rational, as Kant says, they are not persons and without any moral rights. According to Kant, animals, "are there merely as a means to an end. That end is man."[65] According to Regan's objection to Kant, this is the case with regard to those people who fall short of the rational capacities of normal adult human beings. According to him, it is not just animals that are not persons, "late-term human fetuses, infants, children throughout several years of their lives, and all those human beings, whatever their age, who, for a variety of reasons, lack the intellectual capacities that define Kantian personhood"[66] are also classified under

[63] *Regan, Animal Rights, Human Wrongs*, 77
[64] *Regan, The Case for Animal Rights*, 152
[65] *Regan, Animal Rights, Human Wrongs*, 77
[66] *Regan, Animal Rights, Human Wrongs*, 78

this category. The absence of a direct duty of respect to those human beings, as well non-human animals, who cannot meet the requirement for being a person, makes Kant's stance counterintuitive, insufficient and unacceptable, and Regan finds himself a critic of him.

1.2.3.2.1.2 Subjects-of-a-life

To target his main objection at the concept of *personhood* in Kant's view, and to try fill a *lexical gap* with more moral connotations, Regan coins a new term to which attributes inherent value, not to *persons* in the Kantian sense. Therefore, as he says, "there is something of real moral importance for which we have no commonly used word or expression. . . . Necessity being the mother of invention, I use the words *subject-of-a-life* to fill the gap in question."[67]

To better understand this term by him, firstly, let's clarify the concept of moral patients in his thought and understand its relation with *the subject of a life*. According to him, a moral patient is somebody who is unable to formulate moral principles in order to do one act among many alternatives in terms of which one is morally appropriate. In a nutshell, moral patients cannot do what is morally right or wrong. Since they do not have any sense of right or wrong, when they harm somebody, they are not guilty of doing a wrong, because they do not understand what they do is wrong as opposed to right. Human infants, young children and people with mental impairments are some examples of human moral patients.[68] Despite the fact that they do not have a moral sense, they are the objects of moral consideration: "[b]ut moral patients can be on the receiving end of the right or wrong acts of moral agents … ."[69] As Regan says, moral patients vary in moral considerations: 1. the first kinds who are only *sentient* and *conscious;* 2. the second ones who have as well a variety of different capacities, as Regan enumerates their characteristics, makes them fitted as equal to the *subjects-of-a-life*.[70]

He invents the *subject-of-a-life* term to bridge the existing lexical gap in order to cover the *psychological* overlap between human and non-human animals, something that has always been absent in ethical theories, as he claims.

> "What our language lacks is a commonly used word or expression that applies to the area where humans and animals overlap psychologically. This is the lexical gap "subject-of-a-life" is intended to fill. The introduction of this concept permits us to identify those humans and other animals who share both a family of mental capacities and a common status as beings who have an experiential welfare. The word *human* is inadequate to the task; some subjects-of-a-life are not human. The word *animal* is inadequate to the task; some animals are not subjects-of-a-life. And the word *person* is similarly deficient; some subjects-of-a-life, whether human or not, are not persons."[71]

Regan believes, contrary to Kant, that the criterion of having inherent value is neither being a moral agent nor being a person, but rather he identifies being subject-of-a-life as a criterion for having inherent value. It means that everyone

[67] *Regan, Animal Rights, Human Wrongs*, 80
[68] *Regan, The Case for Animal Rights*, 152-3
[69] *Regan, The Case for Animal Rights*, 154
[70] *Ibid*.
[71] *Regan, Animal Rights, Human Wrongs*, 93

to whom the criterion could be applied would be inherently valuable and to whom the direct duty of respect and then the moral rights belong. But, what are the features of a subject of a life? In his view, the key features of a subject-of-a-life are as follows:

1. *Consciousness*

As he says, every subject-of-a-life is aware of being in the world, and also aware of "what transpires "on the inside," so to speak, in the realm of our feelings, beliefs, and desires."[72] It is consciousness that makes us different from animate matter and plants: "[i]n these respects, we are something more than animate matter, something different from plants; we are the experiencing *subjects-of-a-life* … ."[73] In short, being conscious, according to Regan, means "having beliefs and desires."[74]

2. *Biographical sense of life*

Thanks to having a tacit perception of themselves as an 'I'[75], i.e., they know all of their feelings, beliefs and desires in different times and spaces have a psychological unity, as belonging to one and the same person, or they have "a psychophysical identity over time,"[76] and it is not as if "the desires [they] have belong to someone, the beliefs to someone else, and the feelings to someone totally different."[77] That is, the subjects-of-a-life are "beings with a biography, not merely a biology."[78] All this, Regan believes, helps us to understand "how the story of our individual lives, our biography, unfolds over time; and all help illuminate how the story of any one individual's life differs from the stories of others."[79] In other words, these kinds of beings have "a sense of future, including their own future," and therefore having "the ability to initiate action in pursuit of their desires and goals."[80]

3. *Experiential welfare*

On the other hand, the life of a subject-of-a-life has an *experiential welfare* in the sense that "fares experientially better or worse for the individual whose life it is, logically independently of whether others value that individual."[81]

Having assessed the features of a subject of a life, now we have to ask what kind of relation can be found between that and the moral patients. Is it so that all moral patients are the subjects of a life, or vice versa? What kind of relation can be found between them and persons or moral agents?

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[72] *Regan, Animal Rights, Human Wrongs*,80
[73] *Ibid*.
[74] *Regan, The Case for Animal Rights*, 34.
[75] This is my word, and Regan does not use it. But this seems something that he implies.
[76] *Regan, The Case for Animal Rights*, 243
[77] *Regan, Animal Rights, Human Wrongs*, 80-1
[78] *Regan, Animal Rights, Human Wrongs*, 80
[79] *Regan, Animal Rights, Human Wrongs*, 81
[80] *Regan, The Case for Animal Rights*, 243
[81] *Regan, Animal Rights, Human Wrongs*, 81

As we saw, according to Regan, the moral patients are of two kinds: simply sentient and conscious beings, on the one hand; and those who have more complicated features, including higher levels of consciousness, and specially the aforementioned biographic sense of life, as well experiential welfare, on the other hand. But the first and the third features are shared between all moral patients and the subjects of life, because every creature which is sentient and conscious seems to have experiential welfare. The only differentia of the subjects of life seems to be having a biographic sense of life, which entails varieties of different complicated capabilities in them which cannot be found in the first group of moral patients. Then, this means that being a moral patient is more general than being a subject of a life, and the latter is more peculiar than the former. Whereas all sorts of animals seem to be sentient and conscious, i.e., awareness of pain and pleasure occurring to them, just some of them, like primates, whales, etc., seem to have a biographic sense of their lives. What about persons or moral agents? As we saw, the key features of persons or moral agents, who are able to make moral decisions, were being rational and autonomous in a higher sense. These are sentient and conscious like the first kind, having a biographic sense of life like the second, and at the same time are rational and autonomous as their specific features. Then, we can say, being a subject of a life is more general than being a person, and the latter is more peculiar than the former. If I want to depict the relations between them, based on Regan's explanations, it seems to me something like in the figure 1:

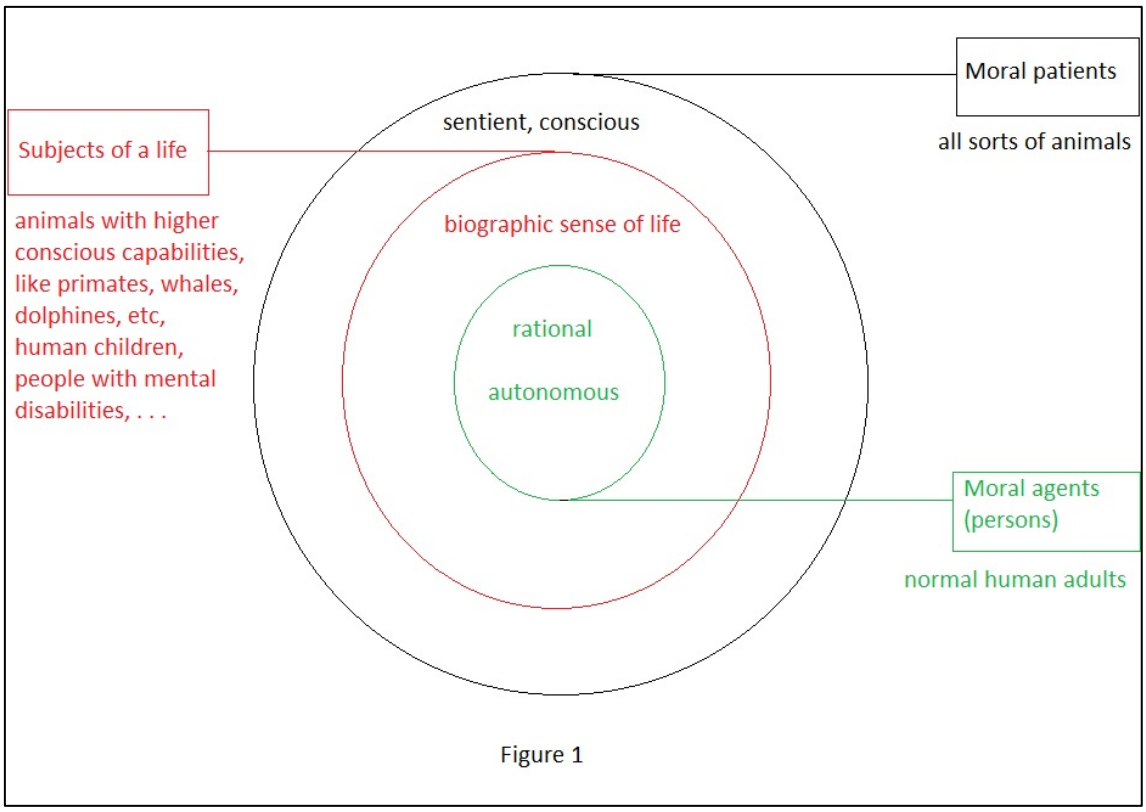

Figure 1

In a more exact sense,

- All persons (moral agents) and all subjects of life are moral patients in the sense of being sentient and conscious.
- Some moral patients are persons and also the subjects of life.
- Some moral patients are not persons and also the subjects of life.

Or we can say, not all moral patients are the subjects of life, whereas all subjects of life are moral patients, in the sense of being sentient and conscious and without having the capability of acting morally.

Regan considers the criterion of the subject of life, not as a necessary condition of having inherent value, rather as a *sufficient* one. It means that to have inherent value, it is sufficient that a creature is a subject of life, although to have inherent value, it has not necessarily to be a subject of life. Accordingly, he holds that,

> "it *may* be that there are individuals, or possibly collections of individuals, that, though they are not subjects of a life in the sense explained, nevertheless have inherent value -have, that is, a kind of value that is conceptually distinct from, is not reducible to, and is incommensurate with such values as pleasure or preference satisfaction. . . . Those who would work out a genuine ethic of the environment in terms of the inherent value of natural objects (trees, rivers, rocks, etc.) or of collections of such objects are not logically debarred from undertaking the task by anything said or implied in these pages, since the subject-of-a-life criterion is set forth as a sufficient, not as a necessary, condition of making the attribution of inherent value intelligible and non-arbitrary."[82]

In another passage, regarding those who are sentient, but do not have the other features of the subject of a life, he says,

> "second, and relatedly, the argument of [being a subject of life as a criterion for having inherent value][83] does not logically preclude the possibility that those humans and animals who fail to meet the subject-of-a-life criterion nonetheless have inherent value. Since the claim is made only that meeting this criterion is a sufficient condition of making the attribution of inherent value intelligible and nonarbitrary, it remains possible that animals that are conscious but not capable of acting intentionally, or, say, permanently comatose human beings might nonetheless be viewed as having inherent value."[84]

Therefore, if being a subject of a life is just a sufficient condition of having inherent value, what is the necessary one, according to which those creatures without having the features of a subject of a life could still enjoy having the inherent value and are counted as the objects of ethical consideration? When I assess the ideas of the three thinkers, I will try to find the criterion in Regan's philosophy.

Now, what are Regan's reasons to attribute inherent value and following that moral rights to non-human animals? He thinks of animals as the subjects of life, because,

> "the convictions of common sense, in concert with the teachings of the religions of the world and the findings of an informed science, will [confirm that]. These animals are

[82] *Regan, The Case for Animal Rights*, 245-46
[83] my modification.
[84] *Regan, The Case for Animal Rights*, 246

> our psychological kin. Like us, they bring to their lives the mystery of a unified psychological presence. Like us, they are *somebodies*, not *somethings*. In these fundamental ways, they resemble us, and we, them."[85]

According to Regan, a combination of evidences and reasons for attributing mind to animals and then interests to them, draw us to the conclusion that they have rich and complicated mental lives. The reasons for attributing mind to them are similar to ours. Therefore, he claims that,

> "their behavior resembles our behavior. Their physiology and anatomy resembles ours. And their having a mind, their having a psychology, not only accords with common sense (and with religious teachings without exception), it is supported by our best science. No one of these considerations by itself need be claimed to be proof of animal minds; when taken together, however, they provide compelling grounds for attributing a rich, complex mental life to these other-than-human animals."[86]

In fact, Regan thinks of his reasons for attributing mental lives to other-than-human animals, just like his reasons for attributing moral rights to non-human animals, as something that he calls *cumulative argument*. Accordingly, he does not count them like a *strict proof*, of the type that could be found in geometry. He thinks of the proposed arguments for the rights view, similar to the reasons for attributing minds to animals, with a cumulative feature, that is, in the absence of strict philosophical proofs in favor of human and animal rights, there are a combination of evidences and reasons in overall which can convince us to believe in them. Therefore, to keep the advantages of the other moral views and to abandon their failures, and by the convictions that they can be obtained from common sense, as well the supports which could be found from the scientific findings, the rights view can provide us with the best and most comprehensive moral point of view.

In brief, Regan's animal rights argument could be shown in this way:
1. All creatures with inherent value have a right to respectful treatment. 2. The subjects of life have inherent value. 3. The subjects of life have a right to respectful treatment.
1. The subjects of life have a right to respectful treatment. 2. Non-human animals are the subjects of life. 3. Non-human animals have a right to respectful treatment.[87]

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[85] *Regan, Animal Rights, Human Wrongs*, 94
[86] *Regan, Animal Rights, Human Wrongs*, 92
[87] Julian Franklin, who is so sympathetic to Regan's stance, gives this brief of his ethical point of view, on the basis of The Case for Animal Rights:
He rejects utilitarianism and perfectionism as counterintuitive, and he dismisses Kant and Rawls because the indirect duty concept of regard for animals is a failure.
The rule of formal justice, that individuals must be treated equally insofar as they are similar, is the consequence of rejecting utilitarianism. The rule of equal formal justice, that individuals have an equal right not to be harmed, is the consequence of rejecting perfectionism.
That all human individuals have inherent value follows from the rejection of the utilitarian view that the value of individuals is measured by their feelings of pain or pleasure.

1. Having rejected any version of indirect duty, and on the quite reasonable assumption that we owe at least "some" duty to all mammals of a year or more in age, we must conclude that these latter have inherent value also.

1.2.4 Regan vs. Singer

To better understand Regan's and Singer's ideas, here I try to point out some important differences between them and leave judgment about their value to the last part of this chapter. These are the most important differences between the Reganian and Singerian approaches to ethical theory:

1. An absolutist view of morality against a relativist one: According to Regan, one act is either right or wrong; despite the fact that one wrong act is done in a kind process, this does not make it right, just like when one right act is done in a cruel process, this does not make it wrong. The value of one act is not determined by the doer's characteristics. The value of one act is stable and whether the act is right or wrong is a black and white thing, not something which admits of gradation. Accordingly, if animal experimentation is wrong, nothing, including the experimenter's kind characteristics, or the positive results of these experiments, whether for human or non-human animals, makes it right. This is the case with regard to other exploiting practices of animals. Compare this stance with Singer's positive response to the question of the possibility of animal experimentation, when he says, "if a single experiment could cure a disease like leukemia, that experiment would be justifiable,"[88] although the experimenter, in equal conditions, has to be prepared to do experiments on those humans with the same mental capacities or lower than non-human animals, otherwise he has committed himself to an unjustified speciesist practice. Therefore, as Singer says, whereas "putting morality in such black-and-white terms is appealing, because it eliminates the need to think about particular cases; but in extreme circumstances, such absolutist answers always break down,"[89] and in this case, "admittedly, as with any dividing line, there would be a gray area where it was difficult to decide if an experiment could be justified."[90]
2. Regarding the status of pain and suffering in Regan's rights view, he claims that, what makes an act wrong is not just whether it is painful or not. In other words, it is not pain that is wrong in itself so that not inflicting pain and suffering can make an act right. Pain and suffering are bad because they violate a creature's right to respect as a fundamental right. For example,

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2. An individual either has inherent value or does not. There is no middle ground. Hence all mammals are equal in inherent value.
3. Recognition of inherent value requires us to respect it. This respect principle is now shown to underlie the harm principle which prima facie forbids harming any individual (*Franklin, Animal Rights and Moral Philosophy*, 21-2).
4. Having rejected any version of indirect duty, and on the quite reasonable assumption that we owe at least "some" duty to all mammals of a year or more in age, we must conclude that these latter have inherent value also.
5. An individual either has inherent value or does not. There is no middle ground. Hence all mammals are equal in inherent value.
6. Recognition of inherent value requires us to respect it. This respect principle is now shown to underlie the harm principle which prima facie forbids harming any individual (*Franklin, Animal Rights and Moral Philosophy*, 21-2).

[88] *Singer, Animal Liberation*, 85
[89] *Ibid*.
[90] *Ibid*.

experimenting on animals or killing them without pain and suffering are not something that might make them right or justified. Animal experimentation or killing them are wrong because they violate the duty of respect for individuals, whether they are painful or not, they "occur *as a consequence* of treating individuals with a lack of respect."[91] To the contrary, Singer thinks of pain and suffering as being "in themselves bad and should be prevented or minimized."[92] Therefore, killing non-persons instantly and in the absence of pain and replacing them with an animal with the same amount of pleasure, can be justifiable, because the element which makes an act bad does not exist anymore, i.e., pain. And whereas killing persons is wrong, even though it is done instantly without pain and suffering, its wrongness is not absolute and in some rare circumstances, as we explained earlier, could be justifiable.

3. In Regan's view,

> "since inherent value is conceived to be a categorical value, admitting of no degrees, any supposed relevant similarity must itself be categorical. The subject-of-a-life criterion satisfies this requirement. This criterion does not assert or imply that those who meet it having the status of the subject of a life to a greater or lesser degree, depending on the degree to which they have or lack some favored ability or virtue. . . . One either *is* a subject of a life, in the sense explained, or one *is not*. All those who are, are so equally. The subject-of-a-life criterion thus demarcates a categorical status shared by all moral agents and those moral patients with whom we are concerned."[93]

Following that, he denies every hierarchical view to the subjects of a life.[94] In his view, as far as a being has this criterion, regardless of its other capacities and features, such as race, gender, species, age, intelligence and so on, it has inherent value and is entitled to be treated respectfully. Compare this view with the Singerian one, according to that, even given the self-consciousness and personhood of those non-human animals that we use for our food,

> "they are still not self-aware to anything like the extent that humans normally are. . . . For this reason, when there is an irreconcilable conflict between the basic survival needs of animals and of normal humans, it is not speciesist to give priority to the lives of those with a biographical sense of their life and a stronger orientation towards the future."[95]

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[91] *Regan, Animal Rights, Human Wrongs,* 76. But we can ask here about what is more primordial or fundamental, sentience or the right to respect? Here, he claims the latter. But more scrutiny makes it clear that the first is more fundamental, because the principle of respect just belongs to the sentient creatures. If a creature can not feel pain and suffering, or being insentient, there would not be anything that we need to be worry about. Regan here thinks of violating the respect principle as the fundamental wrong, while this is dependent on sentience. In fact, according to him, the fundamental wrong should belong to the violation of sentiency.

[92] *Singer, Animal Liberation,* 17

[93] *Regan, The Case for Animal Rights,* 244-45

[94] This result is a logical outcome of Reganian ethical theory. But as more scrutiny shows, we will see that he contradicts his absolutist stance with regard to the conception of inherent value as the categorical criterion for all subjects of a life in the situation of so-called lifeboat case. I will try to have a look at this in the final part of the chapter.

[95] *Singer, Practical Ethics,* 121

4. In describing the animal rights view, Regan thinks of it not as a reformist approach to the current animal exploitation practices, but rather as an abolitionist approach to them. Then, he considers using animals in science and intensive rearing them with a *fundamental* wrong which cannot be refined. In his view, the fundamental wrong is not the various animal exploitative practices, but rather the instrumental and the inferior view that underlies those various exploitations and as a primary cause of them. That is, the existing animal exploitations are an effect of a more fundamental mistake, i.e., overlooking their inherent value and the duty of respect.[96] On the other hand, whereas Singer also believes that the final goal is eradicating all kinds of animal exploitations and practices which overlooks their interests, in this way any kind of reform in the quality of animal lives (including passing animal welfare acts) would be welcomed, because it is these reforms that could open the way for the final goal of abolishing all kinds of animal misusing whatsoever. Although, as we have seen, the Singerian moral ideas are not as absolute as the Reganian ones. In a nutshell, whereas, in Regan's view, one act is either right or wrong, Singer believes that actions could be more or less ethical, depending on their outcomes and closeness to the moral ideal, i.e., the greatest amount of preference satisfactions for the greatest beneficiaries, just as experimenting on animals with consideration of animal welfare acts could be far better or more ethical than when they are done inconsiderately and without any limitations. Accordingly, as I said earlier, these views may be called, respectively, *absolutist* and *relativist* approaches to ethical theory, although in a broad sense of the terms.

1.3 Martha Nussbaum's capabilities approach

Martha Nussbaum is the next thinker whose ideas on the moral status of animals I am going to explain. Like Regan, she sets her project off by criticizing the major approaches in the moral and political thought and tries to defend her own stance i.e., the *capabilities approach*, as one that does not have the shortages of the other stances but has its own strengths in the moral and particularly political sphere with regard to other theories. Nussbaum, like Singer, also finds the term *right* controversial, vague and unclear, and the most contested when we say "a creature has a right to something."[97] She prefers not to use the term in explicating her own approach toward animals, and instead opts for the less common and controversial term, *entitlements.* In general, it is not wrong if we regard Nussbaum's project as an Aristotelian-contractarian effort for synthesizing Singer's utilitarianism to Regan's rights-based stance. Where one can see all the three thinkers' efforts, in different ways, for animals to be regarded as creatures with some fundamental rights, but the political aspect is stronger and more

[96] Once again, this is dependent on being sentient.
[97] *Nussbaum, Animal Rights: The Need for a Theoretical Basis,* 1535

striking in Nussbaum's than the two others. According to her, we confront the three major unsolved problems of justice that the social contract tradition, as she sees herself to scrutinize its elements,[98] and as the foundation of political liberalism, has not been addressed sufficiently: the problem of those people with a range of unusual mental and physical disabilities or impairments, the problem of poor nations and the problem of other species. According to Nussbaum, the exclusion of other species from the sphere of basic justice is regarded as one of the three major problems of justice that contractarianism, as the basis of contemporary liberal society, has not been able to handle.[99]

As Nussbaum thinks, every creature who is capable of a dignified life, its capability in this regard should not be failed. Although it is difficult to have a definition of a dignified life, but by looking at those animals that humans are using them in different manners, we can reach in a negative manner the conclusion that those circumstances in which they live cannot be of those that are for a dignified life, like "the conditions of the circus animals in the case, squeezed into cramped and filthy cages, starved, terrorized, and beaten, given only the minimal care that would make them presentable in the ring the following day."[100] Then,

> "because it is capable of recognizing a wide range of types of animal dignity, and of corresponding needs for flourishing, and because it is attentive to the variety of activities and goals that creatures of many types pursue, the approach is capable of yielding norms of interspecies justice that are subtle and yet demanding, involving fundamental entitlements for creatures of different types."[101]

Therefore, according to her, when a creature that can be treated in a dignified manner is treated in an inappropriate way, it is treated unjustly and disrespectfully. Unlike contractarians, as we saw in the previous part, who do not see a moral status for animals directly, and do not see mistreatment of animals as an issue of justice, but of 'compassion and humanity', as Nussbaum explicates Rawls' ideas toward animals in this way, she thinks that mistreatment and exploitation of animals is an issue of justice.

1.3.1 Criticizing contractarianism and utilitarianism

Nussbaum's main concern is justice. According to her, since "the most powerful and influential theory of justice in the twentieth century, that of John Rawls, sets itself squarely within this tradition [i.e., contractarianism]," and "because the tradition provides a vivid, rigorous, and illuminating way of thinking about justice among equal persons, it has remained philosophically fertile."[102] Thus, she is particularly concentrated on the analysis of the concept of justice in the social contract tradition and in particular the Rawlsian conception.

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[98] *Nussbaum, Frontiers of Justice,* 14
[99] *Nussbaum, Frontiers of Justice*, 14-22
[100] *Nussbaum, Frontiers of Justice*, 326
[101] *Nussbaum, Frontiers of Justice*, 327
[102] *Nussbaum, Frontiers of Justice*, 11

Thinking Kant as a thinker who has a special role in the social contract theory and as an influential character in the Rawlsian conception of the moral person and his theory of justice, she finds him important and at first targets her criticisms at him. As we saw earlier, Kant thinks of *rationality* and *autonomy* as two features of personhood. *Reciprocity* should also be added to them, in the sense that as far as a creature does not have any sense of morality and cannot distinguish between being moral and immoral so as to act accordingly, they thus cannot have any place in the moral sphere. This is why Nussbaum thinks of Kant, who

> "cannot conceive that creatures who (in his view) lack self-consciousness and the capacity for moral reciprocity could possibly be objects of moral duty. . . . More generally, he does not believe that such a being can have a dignity, an intrinsic worth. Its value must be derivative and instrumental."[103]

According to Kant, animals just can indirectly be important and for humans' interests, otherwise they are not regarded as dignified creatures in themselves. However, according to Nussbaum's analysis, this is not the case for all contractarians. For instance, although based on the Rawlsian conception of justice, non-human animals cannot bring into the social contract, because of their lack of conceiving justice, but there are direct moral obligations to them that Rawls considers as duties out of *compassion and humanity.* Therefore, animals are regarded not as the objects of justice, but simply of compassion and humanity. This means that, if an animal is mistreated, it is not the violation of justice, but of compassion. This is why mistreatments of animals are not issues of justice, but rather of compassion and humanity.[104] But what is the deficiency of this view? In other words, what kind of problem is there in this kind of stance that thinks of animals simply as the objects of compassion, not justice? Nussbaum's response is that, although,

> "compassion is very important in thinking correctly about our duties to animals [, and as] compassion overlaps with the sense of justice, and a full allegiance to justice requires compassion for beings who suffer wrongfully, just as it requires anger at the offenders who inflict wrongful suffering. But compassion by itself is too indeterminate to capture our sense of what is wrong with the treatment of animals."[105]

If Rawls cannot recognize animals as the objects of justice, that is firstly because of the tradition that he belongs to, that is, the social contract, according to which animals cannot be other sides of an agreement. Secondly, it is because of his Kantian conception of personhood, on the basis of which the principle of justice is limited to those ones who have two moral powers: "a capacity for a conception of the good and a capacity for a sense of justice, at least 'to a certain minimum degree'."[106] The problem for this view, according to Nussbaum, is that, "if animals can be said to possess any sort of dignity or inviolability for Rawls, it will not be the sort that persons possess, an "inviolability founded on justice that even

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[103] *Nussbaum, Frontiers of Justice*, 330
[104] *Nussbaum, Beyond "Compassion and Humanity"*, 300
[105] *Nussbaum, Frontiers of Justice*, 337
[106] *Nussbaum, Frontiers of Justice*, 331

the welfare of society as a whole cannot override."[107] In essence, considering animals solely as objects of compassion rather than justice is not as obligatory that the welfare of society as a whole cannot override it. Consequently, she posits that justice entails certain fundamental entitlements, and violating these entitlements is tantamount to violating areas that, in the Reganian sense, are deemed as trespassing on the rights for which individuals have legitimate claims. The areas that violating them constitutes a breach of the principles of justice. Therefore, with regard to Nussbaum's idea of justice and its implications, she remarks that although, "there are many types of justice, political, ethical, and so forth, it seems that what we most typically mean when we call a bad act unjust is that the creature injured by that act *has an entitlement*[108] not to be treated in that way, and *an entitlement of a particularly urgent or basic type.*"[109]

Therefore, according to her point of view, the major problem of Kant's and Rawls stance is a lack of "the sense of the animal itself as an agent and a subject, a creature in interaction with whom we live. . . . the capabilities approach does treat animals as agents seeking a flourishing existence; this basic conception, I believe, is one of its greatest strengths."[110]

The second target of Nussbaum's criticisms is utilitarianism in all of its forms. According to her, utilitarianism could distinguish between two questions of *Who receives justice?* and *Who frames the principles of justice?* In other words, utilitarianism does not limit the principles of justice solely to its regulators, a limitation that contractarianism has struggled with. On the other hand, due to its founders' argument-based approach, general radicalism, and skepticism towards conventional morality, utilitarianism has made significant progress in directly including animals in the sphere of moral consideration.[111] Nevertheless, and despite many advantages for the view, there are many problems for it, some of which come from general constituents of all utilitarian views, and the others are related to different utilitarian approaches. Here I point out her objections to the general elements of every utilitarian view and also her criticisms of Singer's preference utilitarianism that we went through in the previous pages.

Nussbaum thinks, as Amartya Sen and Bernard Williams have demonstrated by their analysis of utilitarianism, it has three independent elements, which are:

1. *Hedonism*: the utilitarian conception of the good is hedonism on the basis of which: *A*) the good is pleasure. Accordingly, pleasure and the good are assumed to be the same, where every good can be reduced to pleasure and vice versa. However, according to Nussbaum's observations, there are those goods which cannot necessarily be reduced to pleasure, so that the good turns out to be heterogeneous. She thinks of animals' desires for freedom or altruistic sacrifice for kin and the group as some cases that are not reducible to mere pleasure. Some animals' suffering may also be valuable: like, "the

[107] *Nussbaum, Frontiers of Justice*, 332
[108] My emphasis.
[109] My emphasis; *Nussbaum, Beyond "Compassion and Humanity"*, 302
[110] *Ibid*.
[111] *Ibid*.

grief of an animal for a dead child or parent, or the suffering of a human friend, also seem to be valuable, a sign of attachments that are intrinsically good." On the other hand, there are pleasures that are not only good, but rather they are bad and have been produced by harming others. *B*) pleasures (goods) are different quantitatively, not qualitatively. Therefore, they are the same in kind and quality, and differences in them are for intensity and duration. Nussbaum thinks that this commitment to uniformity of pleasure and good is an especially grave mistake. It is more problematic when we consider it with regard to the basic political principles, like rights. If we treat the goods as homogeneous, it is like that in the field of basic political and social rights, to treat all rights as the same, and we can, for instance, replace the right to freedom with the right to food. So to speak, if the right to freedom is exchanged by the right to food, it would not make a difference, because all these political goods are the same in kind. This is why, according to her, "or animals as well as humans, each basic entitlement pertains to a separate domain of functioning; it is not bought off, so to speak, by even a very large amount of another entitlement. Animals, like humans, pursue a plurality of distinct goods: friendship and affiliation, freedom from pain, mobility, and many others. Aggregating the pleasures and pains connected to these distinct areas seems premature and misleading."[112]

2. *Sum-ranking*: whether an act is right or wrong, just or unjust, is dependent on the aggregation or the average of pain and pleasure that are calculated on the basis of one acts' outcomes. Regardless of refusing *separateness* and inviolability of persons in this view, and sacrificing their interests for the collective goods, according to Nussbaum, like Regan, another grave error of utilitarianism is we are not already able to recognize many acts as wrong, whose wrongness is evident and against the basic justice. For instance, we cannot discern slavery, murder, animal exploitations and many other mistreatments and exploitations wrong or unjust, and their wrongness is a matter of utilitarian calculations. However, many actions and procedures have not reached the level of calculations and should be ruled out in the first place, despite the fact that they might produce good outcomes for a great number of people. Therefore, justice is not an outcome of a utilitarian calculation, but rather an intuitive conception that before making these calculations can be discernible.[113]
3. *Consequentialism*: according to Nussbaum, the deficiency of this principle, which asserts that our purpose should always be maximizing the collective good as the utilitarian element, is related to its comprehensive maximizing conception of the good. However, our main concern in the capabilities approach is to secure the basic justice, in the light of the consideration of a minimal conception of the good as securing the basic entitlements, that can be provided in a short list. In fact, the comprehensive utilitarian view of the good seems to be against the pluralistic liberal conception of the good, which is the

[112] *Nussbaum, Frontiers of Justice*, 344
[113] Ibid. 342-43; *Nussbaum, Beyond "Compassion and Humanity"*, 303

> main concern of capabilities approach. Therefore, she thinks that, "what we want political actors to do, in a liberal state, is *just* to take care of basic justice, and not to be maximizers of the overall good. We actively want them *not* to pursue the maximization of overall good, because we do not want them to be in the business of defining what the good is in a comprehensive way."[114] Though Nussbaum is against the comprehensive and maximizing approach of utilitarian consequentialism, she regards herself to be in favor of a minimal approach to consequentialism, in the sense of securing the core entitlements as the foundation of basic justice. Hence, she says, "the capabilities approach is entitlement-based and outcome-oriented."[115] In other words, the political structure, both in the form and its content, should be consequentialist, although its approach in this regard should be towards the outcome of securing the issues of basic justice, in the sense of ensuring those principles which protect justice in its most fundamental and basic way. This means that those principles that secure a minimum of capabilities should always be considered as the principles of justice. The principles that no good can override, even the collective good.[116]

In addition to the general objections to all utilitarian views, Nussbaum also directs some particular objections to Singer's preference utilitarianism. Accordingly, one of the major problems of preference utilitarianism is related to manipulated preferences. Like a slave who prefers slavery or an animal under harsh conditions who may fall into the mental state of learned helplessness without any efforts to get rid of it. It is not clear how the criterion of preference satisfaction can be proper to distinguish an act or condition as right or just. So to speak, when a slave prefers to remain a slave or an animal prefers to be tortured, could we say that all of these mean that slavery or torturing are good and just acts?[117] "Singer's preference utilitarianism, moreover, by defining *preference* in terms of conscious awareness, has no room for deprivations that never register in the animal's consciousness"[118] Animals raised under harsh conditions of factory farms cannot imagine a better life which they've never experienced, and the fact that they do not have a more flourishing life does not come into their consciousness. In other words, what is regarded of great importance, according to the Singerian preference utilitarianism, is the lack of pain, that the animal has a conscious interest in it, not the capabilities which have been thwarted because of the conditions in factory farms that make the animal unaware of them. As far as this *non-consciousness* does not lead to pain and suffering, even if it is non-consciousness of some of its basic capabilities, it is not considered important.[119] Therefore, these are among the most important issues that preference utilitarianism facing with, i.e., "the ambiguity of the very notion of a preference;

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[114] *Nussbaum, Frontiers of Justice*, 340
[115] *Nussbaum, Frontiers of Justice*, 379
[116] *Nussbaum, Frontiers of Justice*, 340-42
[117] *Nussbaum, Beyond "Compassion and Humanity"*, 300
[118] *Nussbaum, Beyond "Compassion and Humanity"*, 304
[119] *Nussbaum, Beyond "Compassion and Humanity"*, 400

the existence of preferences shaped by ignorance, greed, and fear; still worse, the existence of "adaptive preferences," preferences that simply adapt to the low level of living one has come to expect."[120] In short, Nussbaum's objections to utilitarianism can be summarized in this way,

> "consequentialism is in tension with liberal respect for a plurality of comprehensive conceptions of good. Sum-ranking treats some as means to the ends of others. Hedonism and preference Utilitarianism efface the heterogeneity and distinctness of the good, ignore goods that do not reside in sentience, and fail to criticize preferences and pleasures developed under unjust background conditions."[121]

1.3.2 Extension of the capabilities approach to animals

To extend the capabilities approach for human dignity and the life worthy of it to other species, Nussbaum defines the approach in a way that to include other species. Accordingly, as far as an entity, whether human or non-human animal, has some fundamental needs and capabilities, the dignified life of that being would be a life that makes it able to satisfy its needs and flourishes its capabilities, provided that there will be no harm to others. Accordingly, she says, "with Aristotle and Marx, the approach has insisted that there is waste and tragedy when a living creature has the innate, or ―basic, capability for some functions that are evaluated as important and good, but never gets the opportunity to perform those functions."[122] Therefore, so long as a capability is regarded as fundamental or basic for the life of a creature, it means that its good would be in that capability and it would have a fundamental entitlement to realize it. This is why we have a moral duty not just in a negative manner not to interfere in a creature's capabilities, but rather in a positive manner to promote flourishing its capabilities by political mechanisms and removing the obstacles, something that Nussbaum intends to do by providing a list of basic capabilities for human and non-human animals. Therefore, for instance, not providing health care for a creature, for which being healthy is one of its basic needs, or not educating a being for whom education is one of its basic capabilities, or imprisoning a creature for whom freedom is one of its basic needs and so forth, all are to treat it in an undignified or immoral manner, or in Nussbaum's words, "a kind of premature death, the death of a form of flourishing that has been judged to be worthy of respect and wonder."[123] According to her, the capabilities approach goes intuitively beyond the contractarian and utilitarian views, in the sense that,

> "it goes beyond the contractarian view in its starting point, a basic wonder at living beings, and a wish for their flourishing and for a world in which creatures of many types flourish. It goes beyond the intuitive starting point of utilitarianism because it takes an interest not just in pleasure and pain, but in complex forms of life. It wants to see each thing flourish as the sort of thing it is."[124]

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[120] *Nussbaum, Frontiers of Justice*, 341
[121] *Nussbaum, Frontiers of Justice*, 345-46
[122] *Nussbaum, Beyond "Compassion and Humanity"*, 305
[123] *Ibid*.
[124] *Nussbaum, Beyond "Compassion and Humanity"*, 306

Nussbaum thinks of realizing basic justice as the objective of the capabilities approach. As we saw earlier, she thinks that it would be irrelevant that the principles of social justice should simply be limited to its regulators, a point that contractarianism could not understand. However, the capabilities approach, by criticizing the conception impartially, "looks at the world and asks how to arrange that justice be done in it."[125] Criticizing the conception and the end of social cooperation in contractarianism as the mutual advantage of *free, equal and independent* people, she sees the social cooperation as having a set of various and wider purposes, including justice for all individuals with different properties who are interconnected somehow. In this sense, the aim of social cooperation, according to her approach, is basic justice in the meaning of prevention of "the thwarting or blighting of those [valuable natural] capabilities."[126] Therefore,

> "the purpose of social cooperation, by analogy and extension, ought to be to live decently together in a world in which many species try to flourish. . . . The general aim of the capabilities approach in charting political principles to shape the human-animal relationship, if we follow the intuitive ideas of the theory, would be that no sentient animal should be cut off from the chance for a flourishing life, a life with the type of dignity relevant to that species, and that all sentient animals should enjoy certain positive opportunities to flourish."[127]

Therefore, this approach is more preferable than contractarianism because it includes direct duties of justice towards animals and considers them as the subjects of justice, not simply as the objects of compassion. It would be better than utilitarianism because it considers individuals and the realization of their capabilities valuable and refuses to aggregate the goods of different lives so that it treats individuals as instruments for the overall good. Acknowledging various goods for different species, it thinks of each life with a variety of different and heterogeneous ends.[128]

1.3.3 The Aristotelian-Darwinian elements of the capabilities approach

In describing her capabilities approach, Nussbaum identifies as a Neo-Aristotelian. She does not fully embrace all of Aristotle's views. Instead, she criticizes his perspectives, particularly in terms of the stance on political liberty, a conception she believes he lacked. Additionally, she differentiates the historical Aristotle from some beliefs derived from Aristotelian principles by examining the consequences of his ideas. The historical or actual Aristotle was the one we know, somebody who believed in *slavery*, *the inferior status of women*, and also *unthoughtful to a moral approach to non-human animals*. However, as far as his principles are concerned, according to Nussbaum none of these ideas need "to be lodged at the heart of his conception," and therefore are not compatible with them. In other words, she claims that the implications of Aristotelian principles might be followed up in her own capabilities approach. This is the meaning of

[125] *Ibid*.
[126] *Nussbaum, Beyond "Compassion and Humanity"*, 309
[127] *Nussbaum, Frontiers of Justice*, 351
[128] *Nussbaum, Frontiers of Justice*, 307

Nussbaum's words, when she says, "the Aristotelian must depart from Aristotle."[129] An Aristotelian is somebody who follows the implications of his principles, not simply his historical and personal views. Among those ideas that neo-Aristotelian thinkers on the basis of his principles emphasize on is firstly supporting a rich *plurality of human life-activities* as the proper political end, and these activities are different and each of them has its own place and function, and secondly, emphasizing on the separateness of persons and human dignity as a basic fact for normative political thought, i.e., for political approach each person and its dignity *should* be regarded as an end in itself.[130]

However, one of the conceptions that she particularly emphasizes on and whose implications she tries to follow is the Aristotelian conception of *wonderfulness* of the complex forms of life in nature. She says Aristotle always said in his lectures to his students that they have to take studying animals seriously and should not "make a sour face" to the idea. All animals are similar in terms of being made of organic materials and then we should not plume ourselves as being unique. In this sense, animals are regarded as objects of wonder for the person who wants to learn. However, the problem of the Aristotelian view, according to her, is that he simply limited the idea of animals' wonderfulness to the scientific curiosity and did not take it into the ethical consideration, the gap that her capabilities approach intends to fill. While other ancient Greek philosophers had some ideas with regard to the moral considerations of animals, he did not say anything about the moral status of vegetarianism and its relation to animals. However, the capabilities approach from the idea of feeling wonder to the complexities of other species reaches the conception of respect and letting their capabilities flourish. Accordingly, we cannot feel wonder at the complexities of a creature and at the same time being inconsiderate to its capabilities and not counting them. Therefore, "... that wonder at least suggests the idea that it is good for that being to persist and flourish as the kind of thing it is. This idea is at least closely related to an ethical judgment that it is wrong when the flourishing of a creature is blocked by the harmful agency of another."[131] On the other hand, and more generally, according to Aristotle, "every creature strives for a good, which is the exercise and maintenance of its characteristic form of life," something that makes it entitled to some justified claims for having and actualizing them.[132]

On the other hand, Nussbaum thinks that there are many good points that we can learn by pondering on the Darwinian conception of the continuum of life. She remarks that as James Rachels' study with regard to Darwinism and its implications compellingly demonstrates, the world does not consist of species which are divisively disconnected, according to which we humans are also detached from the other ones, as the Stoics and Judo-Christian tradition thought, but rather there are common overlapping capabilities among them. Accordingly,

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[129] *Nussbaum, Aristotle, Politics, and Human Capabilities: A Response to Antony, Arneson, Charlesworth, and Mulgan*, 108
[130] *Ibid*. 106
[131] *Nussbaum, Frontiers of Justice*, 348-9
[132] *Nussbaum, Animal Rights: The Need for a Theoretical Basis*, 1535

"capacities that humans sometimes arrogantly claim for themselves alone are found very widely in nature."[133] Therefore, "it helps us to see reason as an animal capacity whose dignity is not opposed to animality, but inherent in it. It helps us to see compassion and altruism as characteristics that extend broadly in nature, rather than special outgrowths of a God-given moral nature."[134]

1.3.4 The boundaries of justice

Now the question we should ask is, what is Nussbaum's criterion to include a being in the sphere of basic justice? What kind of creatures might be regarded as the subjects of justice? Nussbaum, following utilitarianism, admits *sentience* as the minimum capacity for being considered in the sphere of basic justice. However, from her view, given that pain and pleasure are not the only things with inherent values, sentiency is regarded not as a necessary condition but as a sufficient one for being a subject of justice. In other words, though sentiency is sufficient for a creature to be included in the sphere of basic justice, it is not necessary, in the sense of the only necessary norm, because there are other capabilities that if a being has them, could be considered as the object of justice. This is why, according to her, the approach to such criterion should be *disjunctive*, i.e.,

> "if a creature has *either* the capacity for pleasure and pain *or* the capacity for movement from place to place *or* the capacity for emotion and affiliation *or* the capacity for reasoning, and so forth (we might add play, tool use, and others), then that creature has moral standing."[135]

Although she reminds us that having one of those capacities is equivalent to being sentient for that being, because as Aristotle remarked, "sentience is central to movement, affiliation, emotion, and thought."[136] In fact, whereas each creature with one of the mentioned capacities is also sentient, however, for theoretical reasons, one can assume a being that has all or one of the above mentioned capacities, but is not sentient. Therefore, she holds that,

> "the capabilities approach should admit the wisdom in utilitarianism. Sentience is not the only thing that matters for basic justice, but it seems plausible to consider sentience a threshold condition for membership in the community of beings who have entitlements based on justice. Thus, killing a sponge does not seem to be a matter of basic justice."[137]

1.3.5 How is the level of consciousness relevant in the capabilities approach?

It is the time to ask about the role of consciousness in the moral status of the subjects of justice in the capabilities approach. As we saw in Singer and Regan,

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[133] *Nussbaum, Frontiers of Justice*, 363
[134] *Ibid*.
[135] *Nussbaum, Frontiers of Justice*, 362
[136] *Ibid*.
[137] *Nussbaum, Beyond "Compassion and Humanity"*, 309

being conscious plays a significant role in being considered as the object of moral consideration. While in Singer's view, the level of consciousness makes a difference in creatures' interests and their moral consideration, according to Regan, as far as a being could reach a level of consciousness that renders it into the *subject-of-a-life*, that creature has a categorically inherent value in the sense that it is not a matter of gradation.[138] To understand Nussbaum's stance in this regard, it is better to have a look at her stance to James Rachels' *moral individualism.* Rachels in his stance is particularly influenced by Singer and also Aristotle. According to his stance, "species membership in itself is of no moral relevance and that all moral relevance lies in the capacities of the individual."[139] While Nussbaum thinks of his stance as individualistic, however, she has some objections to Rachels' view. According to her assessment, moral individualism of the kind defended by Singer and Rachels makes two claims:

1. Upon different capabilities in different beings, different entitlements will arise, i.e., what can be assessed good or harmful for that being, without believing any hierarchy of value. In other words, according to Rachels, following Singer, to the extent that a creature is more complex, in the sense of having more capacities, it has more entitlements and therefore, is more apt to feel pain and suffering. However, the harms that he sees, unlike Singer, are not all based on conscious awareness, in the sense that the being does not have to be consciously aware of its interests in something so that the thing is regarded harmful for it. For so long as a creature is able to enjoy the free movement, irrespective of being conscious of this or feeling pain and suffering for its lack, the mere existence of this ability results in being its constituent and this is the Aristotelian element that we can see in his stance. On the other hand, unlike the Aristotelian view, it is not that some creatures by themselves or by the species that they belong to are more wonderful or admirable.
2. What is of significance is the individual abilities of a creature which can affect what might be good or harmful for it, rather than being a member of a group or species.[140]

In Nussbaum's view, the capabilities approach finds the first claim strong and can easily agree with it. While he is influenced by Aristotle in different aspects, he is a critic of the Aristotelian natural hierarchy of forms of life, according to which some species by their nature and because of the species that they belong to are more valuable for support and wonder, no matter what capabilities they may have. Therefore,

> "we should agree with Rachels, putting his point in a slightly different way. Because the capabilities approach finds ethical significance in the unfolding and flourishing of basic (innate) capabilities—those that are evaluated as both good and central—it will also find harm in the thwarting or blighting of those capabilities.

[138] But as we will see with more scrutiny in the part of critical assessment of the views, Regan's criterion, in fact, is not being a subject of a life, but rather sentiency, as the essential condition of moral patients as those ones to whom inherent value belongs.
[139] *Nussbaum, Frontiers of Justice,* 389
[140] *Ibid*. 360-61; Nussbaum, *Beyond "Compassion and Humanity"*, 308-9

> More complex forms of life have more and more complex (good) capabilities to be blighted, so they can suffer more and different types of harm. We can agree with Rachels that nothing is blighted when a rabbit is deprived of the right to vote, or a worm of the free exercise of religion. Level of life is relevant not because it gives different species differential worth per se, but because the type and degree of harm a creature can suffer varies with its form of life."[141]

As for the second element of moral individualism, the capabilities approach, unlike Singer and Rachels, finds the species criterion important. For, by paying attention to the basic capabilities of a species, we can reach a norm that makes it possible to see whether *X* is morally in a good status or not. In other words, the species norm "defines the context, the political and social community, in which people either flourish or do not."[142] Accordingly, when the basic entitlements of a species which are specific for it are not satisfied, even if the creature is not in pain and suffering, we have a positive duty, by supporting that creature, to provide the conditions of those basic principles, as the principles of basic justice. Therefore, for instance, when free movement is regarded as one of the basic capabilities of dog species, but if a dog has a disability in movement, even though it may be not in any pain and suffering, it will be our moral obligation, as realizing the basic justice specific for this species, to support the animal to move. The same is the case for a child who suffers from Down syndrome. As matter of basic justice, it is the human society's obligation to get the child as far as possible close, through scientific technology, to the norms of human species so that it makes him able to live as a citizen among his other fellow humans and enjoy the benefits of citizenship, like health care, education and so on. Therefore, as Nussbaum says, "any child born into a species has the dignity relevant to that species, whether or not it seems to have the 'basic capabilities' relevant to that species. For that reason, it should also have all the capabilities relevant to the species, either individually or through guardianship."[143]

1.3.6 Normative view to capabilities: the moral evaluation of capabilities

We can reach the question of what is the capabilities approach's criterion to distinguish the basic needs and capabilities of creatures that should be satisfied? Can we recognize every need and capability which is evaluated natural as those ones that are required for a flourishing life?

Following John Stewart Mill, Nussbaum criticizes the natural as the good. She remarks that as Mill has demonstrated, nature in a moral sense, "is actually violent, heedless of moral norms, prodigal, full of conflict."[144] Accordingly, and contrary to the ideal images that some environmentalists depict of the natural environment as a wise and a poetical place that by itself is in harmony, but our human interventions make it unharmonious, it is not so that everything which is evaluated as natural is good in a moral sense. On the contrary, as Daniel Botkin

[141] *Nussbaum, Frontiers of Justice,* 361
[142] *Nussbaum, Frontiers of Justice*, 365
[143] *Nussbaum, Frontiers of Justice*, 347
[144] *Nussbaum, Frontiers of Justice*, 367

has demonstrated, without human's interventions the natural environment and its ecosystems would be destroyed. Unlike the *non-evaluative* view that Nussbaum considers herself a critic of, she thinks that we need an evaluative view to appraise nature and the human and non-human animals' powers. In this sense, "respect for nature should not and cannot mean just leaving nature as it is, and must involve careful normative arguments about what plausible goals might be."[145] Therefore, just by looking at the humans' and animals' behaviors, we cannot distinguish those basic needs that are required for a flourishing life. Not just evaluation, but the ethical evaluation of these powers and capabilities are needed, and this is something which is contained in the meaning of *flourishing* in the sense of "the conception of flourishing is thoroughly evaluative and ethical; it holds that the frustration of certain tendencies is not only compatible with flourishing, but actually required by it."[146]

But how can we distinguish the good basic faculties from the bad ones? As we said, the capabilities approach in Nussbaum's view is a political one. The aim of the political conception, as she says, is "[to] inhibit or fail to foster tendencies that are pervasive in human life [in] the area of harm to others."[147] Therefore, as she sees, those powers and capabilities which are dependent on harms to others should not be included in the list of basic capabilities for a dignified and flourishing life, because as we saw in her analysis of the conception *flourishing*, harm to others does not have any place in a flourishing life. Accordingly, the criterion for distinguishing the good capabilities from the bad ones is the harm principle. However, what if a basic capability is harmful to others in such a way that its frustration causes serious harms to the owner? For instance, an animal whose predatory desire is frustrated falls into considerable suffering. According to the capabilities approach, if these kinds of desires could be satisfied in such ways that do not have any harm for other creatures, this is morally acceptable. For instance, whereas giving a gazelle to tigers to tear it up is considered a harm to the gazelle and vanishing its life and its entitlements, the desire of predation could be satisfied in tigers through giving a big ball to them on a rope, that its resistance and weight simulates the gazelle, as the Bronx Zoo's evidence demonstrates.[148] The next question we should ask is whether such an attitude toward animals is not some kind of paternalism and imposing human values on them which violates their autonomy and independency?

1.3.6.1 Intelligent paternalism; focus on functioning rather capabilities in animals

As we saw, it is we humans who specify the list of basic capabilities for a dignified life. The question that arises now is whether specifying the list of basic capabilities for animals from us is not some kind of paternalism and imposing

[145] *Nussbaum, Frontiers of Justice*, 369
[146] *Nussbaum, Frontiers of Justice*, 366
[147] *Nussbaum, Frontiers of Justice*, 369
[148] *Nussbaum, Beyond "Compassion and Humanity"*, 311

human values on them. Does not doing this violate the autonomy of other species?

According to Nussbaum, "in the human case, one way in which the approach respects autonomy is to focus on capability, and not functioning,[149] as the legitimate political goal."[150] However, she thinks that the paternalistic conduct whose purpose is focusing on functioning, rather than capabilities, is allowed wherever the individual's capability of choosing and autonomy is at risk, like children and people with mental disabilities. She also thinks of animals in this way. In other words, for creatures whose ability for rational and autonomous choice is in danger, the best option is that the procedure of decision-making regarding their capabilities is given to a guardian, and this is not rejecting autonomy for that being, something that she regards as *intelligent paternalism*. Accordingly, so long as the procedure of decision-making is towards satisfying the basic needs of a creature to realize a dignified life for it, such a procedure is towards its flourishing as much as possible. The aim of this kind of paternalism is not to go to the limit of taking control over a creature for suppressing it to satisfy the needs of a specific class or species. Rather, this kind of limitation and control is for having it realize its basic capabilities. This is just as to realize the most capabilities of a human child, he must be educated, even if it is not his choice and the child might not be interested in it. For education can actualize many capabilities of the child and can promote autonomy and independency for him, which is why it should be taken as necessary. Hence, developing those capabilities in animals which promote autonomy and independency in them is important, even if it is not their own choices. According to her,

> "an intelligent, respectful paternalism cultivates spaces for choice. Animals are centers of activity, and no treatment is respectful that does not allow them to initiate activity on their own in some ways and to some degree. Any physical situation that is too confining is inimical to flourishing, as is any routine that does not allow play and uncoerced social interaction. Once again, the touchstone should be a respectful consideration of the species norm of flourishing and a respectful attention to the capacities of the individual."[151]

Nussbaum suggests that while the level of intervention, such as guardianship, control, and training, is high in the lives of domestic animals due to their high dependence on us and their interactive relationship with humans, she maintains that when it comes to intervening and providing guardianship in the lives of wild animals, the best approach is to care for them without any extensive intervention

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[149] Nussbaum's distinction between capabilities and functioning: the concentration on capabilities means giving people the choice in different areas of their capabilities, while concentration on functioning means that, as for a specific capability, we have already made a choice for an individual or a group of people and simply choose one option for them. For instance, people are able to be healthy or unhealthy. If we leave them free in this case to choose between them, this would be the concentration on capibilities. But if we choose for them to be healthy and prescribe it, this would be the concentration on functioning. (*Nussbaum, Frontiers of Justice*, 171-73)

[150] *Nussbaum, Beyond "Compassion and Humanity"*, 312

[151] *Nussbaum, Frontiers of Justice*, 378

which might cause more harm. This consideration should be viewed in the broader context of the ecosystem and its effects on other components.[152]

1.3.7 Death and harm

As we saw in the chapter on Singer, according to his preference utilitarianism, killing and death is regarded as harm just for those kinds of beings who are *person* or *self-conscious* and having interests in continued life, although personhood for him is a matter of grade. When we assessed Singer's arguments on *replaceability*, we saw that with regard to the *merely conscious* creatures that do not have any conception of themselves over time and simply have some kind of pain/pleasure-consciousness, so long as they are killed instantly and without any pain, it would not be the frustration of any desire or preference and this is why death would not be a harm to them. With regard to Regan, we also found that so long as a creature is a *subject of a life*, it has a categorical *inherent value*, and is entitled to be treated respectfully. Therefore, this kind of being has a variety of inviolable inherent rights which cannot be violated in any way. One of these rights is the right to life that nobody can violate in an absolute sense of the word.[153] Now we have to find Nussbaum's stance in this regard.

Nussbaum does not hold that death for other creatures is wrong in an absolute manner, and unlike Regan who absolutely refused death for those who have moral rights, she is more sympathetic to utilitarianism. To understand her stance, it is good to see the distinction that she makes between consciousness and capability and thinks of that as an advantage over utilitarianism for her approach. We will see that the capabilities approach provides a list of centrally valuable forms of capability which are valuable by themselves, even if the creature is not conscious of them, i.e., not having conscious interests in them, that its lack of consciousness is the reason for not feeling pain and suffering. Like a cow who has been reared in confinement and maybe does not have any idea of free movement, this lack of awareness could be painful for him. According to the capabilities approach, this lack of consciousness, even if it does not cause any pain and suffering, i.e., the cow does not have any conscious interest in it, violates a basic capability of hers. But as for death, the question is that even if a creature does not have any consciousness and conception of many things, but having their abilities, could the instant and painless death be a harm for it? According to Nussbaum, and unlike utilitarianism, the answer to this question is positive. In fact, there is a list of valuable capabilities which are good by themselves and so long as the loss of a creature leads to vanishing these basic abilities, death would be a harm for them. This is another expression of blighting and frustration of the valuable natural powers, or "a kind of premature death, the death of a form of flourishing that has been judged to be worthy of respect and wonder."[154] In other words, the value of a creature can be determined by its capabilities. The more

[152] *Nussbaum, Frontiers of Justice*, 379
[153] Actually, this is the logical implication of Regan's conception of categorical inherent value. However, as we will see in the lifeboat case, he does not remain loyal to it.
[154] *Nussbaum, Beyond "Compassion and Humanity"*, 305

basic capabilities a creature might have, the more valuable and considerable it could be. It is not just feeling pain and pleasure which are seen of great importance. Just having some basic capabilities is sufficient to make a creature entitled to flourish, whether being aware or unaware of them. Therefore, even if a creature does not have any conception of itself over time, or in the Singerian terms, even if it is *merely conscious*, but having those basic capabilities, death would be considered a harm for it.

We can raise another relevant question that asks whether there is any condition under which killing a creature is allowed. Nussbaum, influenced by the utilitarian norm of sentience as the criterion for the inclusion of a being in the sphere of justice, thinks that utilitarians are right when they say "the prevention of suffering, both during life and at death, is of crucial importance always."[155] Therefore, instant and painless death is harmless and allowed when the only alternative to a life is pain and weakness. It is in this sense that she "supports euthanasia for elderly (and younger) animals in irreversible pain."[156] The stance of the capabilities approach with regard to using animals for food is that if animals during their lives live in the fullest sense of welfare and then are killed painlessly, there might be a place for using them for food. She says, whereas "killings of extremely young animals would still be problematic, but it seems unclear that the balance of considerations supports a complete ban on killings for food."[157] However, the main issue is that "most animals who are killed for food are sentient, and they are typically killed in their prime or even in their youth, well before the alternative is life with pain and decrepitude."[158]

It is in this sense that Nussbaum, like Singer, and unlike Regan, considers the harm of killing a creature dependent on the species it belongs to, its capabilities and interests as the matter of gradation. The more complex is a creature, the more capabilities it has, and following that the more entitlements for it. In this sense, if its entitlements and needs are not satisfied, it would be in more pain and suffering. Death for such a being would be the lack of more extensive capabilities than a simpler one, and as a result this means more harm for that being.

1.3.8 Equality and adequacy; providing a list of basic political principles in human-animal relationship

According to Nussbaum, the capabilities approach, unlike utilitarianism which focuses on equality, is focused on adequacy. And this is related to its partial rather than complete stance towards justice. It means that to do justice, it does not need all beneficiaries enjoying everything equally; just benefitting a necessary threshold of basic capabilities is *sufficient* to claim that a necessary

[155] *Nussbaum, Frontiers of Justice,* 387
[156] *Nussbaum, Frontiers of Justice*, 393
[157] *Nussbaum, Beyond "Compassion and Humanity"*, 315
[158] *Nussbaum, Frontiers of Justice*, 386

minimum of justice for everybody has been provided.[159] Therefore, "it is a threshold-based approach, it focuses on adequacy rather than equality, in the human case as well as the animal case. That is, we specify a minimum threshold, below which justice has not been done."[160] But what is the purpose of justice? According to the approach, the aim of justice is securing the dignity for both humans and animals, in the sense of a life which is worthy of them. Whereas she thinks that the human's dignity cannot be realized unless it is equally accomplished for all human beings, this necessity does not seem to be required for other species. It is in this sense that she says,

> "so I would like at this point to treat the question of equal dignity as a metaphysical question on which citizens may hold different positions while accepting the basic substantive claims about animal entitlement that will subsequently be laid out here. Where humans are concerned, the idea of equal dignity is not a metaphysical idea, but a central element in political conceptions that have long been prevalent in modern constitutional democracies."[161]

Whereas, the equal dignity of humans, according to her, is an accepted conception and there is consensus on it, and there is not any conflict between the central elements of comprehensive religious doctrines and this conception, this is not the case with regard to the dignity of other species, because it has not still been accepted as a political conception by different citizens. This is why, she thinks that,

> "the idea of equal cross-species dignity is an attractive idea, indeed from many points of view a compelling idea, but that we do not need to rely on it in our political overlapping consensus. We may rely, instead, on the looser idea that all creatures are entitled to adequate opportunities for a flourishing life."[162]

But what are these basic entitlements providing a threshold of which can secure a flourishing life, both in humans and animals? Nussbaum, on the basis of the human principles of the capabilities approach, and in a highly tentative and general way, as she says, outlines some of the basic political principles that can be instructive for law and public policy in our relationship with animals. Having these entitlements for other species is a matter of justice, i.e., the denial of them for animals is a violation against justice. She discusses of them as *the capabilities list* in more details, but I need to mention them in a concise way.[163] These are:

1. *Life*. In the capabilities approach, all animals are considered to be entitled to continuing their lives, whether they have a conscious interest in that or not. All of them have a secure entitlement against being killed gratuitously, such as for sport, or luxury items of fur and their skin. All such activities should be banned. Regarding other cases of killing and death, we have investigated earlier in detail.

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[159] Or, a necessary minimum of justice for everybody has equally been provided. It seems to me, this is also equalitarian in the sense of providing an equal threshold of basic capabilities for all ones that is the objective of this approach!
[160] *Nussbaum, Frontiers of Justice*, 381
[161] *Nussbaum, Frontiers of Justice*, 383
[162] *Nussbaum, Frontiers of Justice*, 384
[163] See: *Nussbaum, Frontiers of Justice*, 392-401

2. *Bodily Health*. One of the most central entitlements for animals is having a safe life. This entitlement is specially more remarkable with regard to those who are under the direct control of humans. Implementation of well-performed animal welfare acts in this regard is crucial.
3. *Bodily Integrity*. That is, all animals have direct entitlements against violation of their bodily integrity, against their bodies being misused and treated cruelly, whether such an act is with or without pain. Accordingly, Nussbaum thinks that, although declawing an animal is done painlessly, since it stops the animal from flourishing in its own particular way, it is not allowed. However, some kinds of animal neutralization due to the prevention of their over-population and the following issues, and also for a more comfortable life for them, could be allowed.
4. *Senses, Imagination and Thoughts*. In human beings, this capability produces varieties of entitlements: like opportunity for education, freedom of expression, both in political and religious meaning. It also consists of more general entitlements to pleasurable experiences and avoidance of non-beneficial pain which their correspondences in animals are: regulations for banning cruel and violent acts against them and against misusing them, securing their access to the sources of pleasure, such as free movement in an environment which pleases their senses. Since the freedom-related part of this capability does not have an exact correspondence in animals, by studying each species, we can find the appropriate analogues in the case of each type of animal.
5. *Emotions*. Animals have a variety of different emotions; feelings like fear, anger, resentment, gratitude, grief, envy, and joy. A few also have the capability to experience compassion, i.e., those who are capable of perspectival thinking. These emotions lead to entitlements like attachments, love and care to others, and not having those attachments warped by enforced isolation or the deliberate infliction of fear.
6. *Practical Reason*. As far as a creature is able to frame plans and projects for its life, it should be supported. These supports entail similar policies which were pointed out earlier in the capability 4: including plenty of room to move around, opportunities for a variety of activities and so forth.
7. *Affiliation*. Just as humans in whom this capability can be two-parted, i.e., interpersonal and more public in the sense of self-respect and non-humiliation, both these parts are also the case with regard to animals. That is, they are entitled to form attachments and involvement in different forms of bonding and interrelationship, so long as it is two-sided and fruitful, not cruel. On the other hand, they are entitled to be considered in a world public culture as subjects of justice who should be treated as dignified creatures, i.e., creatures with political rights and a legal status. And this does not simply mean supporting them against instances of painful humiliations. This is why this approach goes beyond utilitarianism.
8. *Other Species*. If humans are entitled to live a life with care towards animals, plants, and nature, non-human animals are also entitled to have relationships

with other species, including humans or other parts of the natural world. This capability is to form step by step an intertwined world in which all species are in cooperation together that mutually support each other. Whereas nature tends not to be as supportive and cooperative as this, this capability is going to replace the natural with justice.

9. *Play*. This capability is central for all sentient animals, and specially entails the presence of other species members.
10. *Control Over One's Environment*. Just as humans regarding whom this capability has two prongs, one as political, in the sense of being recognized as active citizens with rights to political participation, and the other as material, just as having the rights of property, these two branches also apply in the case in animals. Politically, they should be recognized in the political conception as the subjects of justice, i.e., to have directly entitlements in such a way that a human guardian has standing to go to court and like children their entitlements are protected. Materially, the analogue of property rights for animals, whether wild or domestic, is the right of territorial integrity of their habitats.

But, how can an overlapping consensus be reached regarding animals to be accepted as the subjects of justice? As we saw, Nussbaum, who is influenced by Rawls and his contractarianism, thinks of justice as a product of an overlapping consensus among human communities. Therefore, humans' role in realizing justice is essential, i.e., it is meaningful in the context of human discourse and society. The first step to animals being considered as the subjects of justice is demonstrating its possibility, something the capabilities approach has tried to show by emphasizing on a minimum and threshold-based approach regarding animals' capabilities and ruling out the difficult metaphysical questions on equality. It wants to do this in such a way that has the least opposition to the comprehensive religious and secular doctrines through which it can be accepted as a dominant and pervasive discourse among various religious and thinking groups. According to this approach, "we must continue to emphasize that the principles we are advancing are political and not metaphysical: they are expressed in a practical (albeit moral) form that is metaphysically abstemious, intended not to conflict with key metaphysical doctrines of the major religions."[164] In addition, there are other steps which can increase the possibility of such a consensus. For instance, public awareness by animal rights groups about the human relationships with animals and the procedures which widely violate their entitlements can increase the possibility of this discourse until reaching an overlapping consensus.

[164] *Nussbaum, Frontiers of Justice,* 391

1.4 Critical assessment of the three approaches

So far, I firstly tried to reconstruct Singer's ideas as someone with whom animal ethics in its modern and systematic form, by the publication of *Animal Liberation*, got popularized. In the second and the third parts of this chapter on Regan and Nussbaum, I tried to display their systems of thought on the basis of their objections to Singer's utilitarianism, but I did not have the opportunity to point out Singer's responses to them. It is time to make my study more comprehensive and fairer, by stating Singer's responses to Regan and Nussbaum, and having my own appraisals as far as possible. First, I start with Singer's responses to Regan's objections.

1.4.1 Singer and responding to Regan's objections

1. According to the first of Regan's objection to the Singerian preference utilitarianism, his belief in *the principle of equality* entails giving equal consideration to all of one's preferences, and all of them, including evil preferences, should be counted in the process of assessing whether an act is wrong or right. But it seems that this objection would only be the case were Singer not to have a normative and evaluative approach towards preferences, so that every preference could be considered in the process of utilitarian calculations. However, according to him, there are many preferences, which have been shaped wrongly and chosen out of mistaken thoughts regarding the consequences of their satisfactions. Accordingly, he thinks that, "the preferences that should be counted, the preference utilitarians may say, are those that we would have if we were fully informed, in a calm frame of mind and thinking clearly."[165] Therefore, Singer thinks that every preference is not right or valuable by itself. There are many preferences that even if they are satisfied, this does not lead to a happier life before their satisfactions. Preferences are only right when they are chosen critically and out of reflection.
2. According to the second of Regan's objection to Singer, whether an act is right or wrong is something which can be found by the exact utilitarian calculations and we cannot judge its value before it happens. However, whether an act is right or wrong is something which could already be found in an intuitive manner.

   Singer, following R.M.Hare, differentiates between two levels of ethical assessment: on the one hand, the *intuitive and practical* level, and on the other hand, the *critical and theoretical level*. Following that, we do not need to apply the principle of utility to every single case and then do utilitarian calculations. Therefore,

   > "if we are guided by a set of *well-chosen*[166] intuitive principles, we may do better if we do not attempt to calculate the consequences of each significant moral decision

[165] *Singer, Practical Ethics*, 14
[166] My emphasis.

> we must make, but instead consider what principles apply to our decisions and act accordingly. Perhaps very occasionally we will find ourselves in circumstances in which it is absolutely plain that departing from the principles will produce a much better result than we will obtain by sticking to them, and then we may be justified in making the departure. For most of us in most of the time, however, such circumstances will not arise and can be excluded from our thinking. Therefore, even though at the critical level the utilitarian must concede the possibility of cases in which it would be better not to respect a person's desire to continue living – for example, because the person could be killed in complete secrecy, and a great deal of unalleviated misery could thereby be prevented – this kind of thinking has no place at the intuitive level that should guide our everyday actions."[167]

However, the question that may arise now is about these intuitive principles. How they are assigned? Explaining Hare's view, Singer says that these intuitive principles are those ones that "experience has shown, over the centuries, to be generally conducive to producing the best consequences. In Hare's view, that would include many of the standard moral principles; for example, telling the truth, keeping promises, not harming others and so on."[168] In other words, even if in some single cases lying, breaking promises or harming others may produce better outcomes, in general, truthfulness, keeping promises and no harm to others can produce better results. Although it should be noted that it is not whatever is considered, over centuries, to be intuitive and acceptable, that should be accepted as the norm of conduct. These principles have to be *well chosen,* and assessed critically. It means that, the criterion of confirmation or denial of a principle as acceptable or unacceptable, is the criterion of utility and producing the best overall outcomes. However, the issue which Singer seems to confront is about when might violating these intuitive principles be allowed. If we have principally to follow up the intuitive principles, and limiting exceptional cases just to the theoretical and critical level, avoiding applying them practically, it is not clear what kind of practical utility or advantage, as the main concern of Singerian ethical theory, can be ascribed to them.

3. According to the third objection, to obtain the best overall outcomes (the greatest preference satisfactions for beneficiaries), utilitarianism permits the worst acts and procedures. Singer's response could be in different ways. On the one hand, he can repeat the same response that was pointed out regarding the previous objection: following up the well-chosen intuitive principles and the general rules of conduct at first, and taking into consideration departures of them simply at the critical and theoretical level. In this case, the issues would be those questions that he must respond to, as we saw earlier.

   However, this objection can be stated in a different manner in the sense that utilitarianism utilizes individuals as means for the overall good or welfare, or inflicts harms on them for this purpose which is a violation against their inherent value and treating them like mere instruments. Singer's response to this objection can also be targeted to its different points. On the one hand, responding to Regan, he agrees with him, that according to his

[167] *Singer, Practical Ethics*, 79-80
[168] *Singer, Practical Ethics*, 79

preference utilitarianism, treating persons, or the subjects of a life in the Reganian sense, simply as a means and against their preferences is a violation against their inherent values that no utilitarian agrees with.[169] On the other hand, to produce the best overall outcomes, we can harm one person without treating him as a *mere instrument*, and this might be compatible with the equal consideration for everyone's interests. That is, on the basis of an equal consideration for everyone's interests, we can reach the conclusion that to produce the best overall consequences, we can inflict harm on someone, without such an act being regarded as treating that being as a *mere instrument;* "utilitarians and others who are prepared to harm individuals for this end will view those they are harming, along with those they are benefitting, as equally possessing inherent value. They differ with Regan only in that they prefer to maximize benefits to individuals, rather than to restrict such benefits by a requirement that no individual may be harmed."[170] Seemingly, Singer in this point differentiates between two meanings of instrumental value: using someone as an instrument; and using him as a *mere* instrument. Therefore, whereas he agrees with the first, i.e., in some complicated cases and for the overall good, not as a general rule, we can sacrifice the interests of one or some persons; but using person(s) as means for maximizing the collective good is not always allowed and is a violation against their preferences and welfares. This is why, we have to generally follow up the general rules of conduct, i.e., respecting the autonomy and independency of individuals and recognizing their right to life, and limiting using them as instruments simply to the level of criticism and theory, and just to the complicated cases.[171]

On the other hand, we can consider the lifeboat case in the Reganian ethical theory, and how he contradicts his categorical conception of inherent value by admitting to choose between lives. According to Regan, if under perilous circumstances, we are forced to choose between the life of four humans and one dog, and by throwing the dog out of a lifeboat we can save the four men, we have to do it, because according to the harm principle, the death of a dog has lesser harms than that of any of the human survivors. Regan claims that not numbers of individuals, but the lesser harm of the participants is important, as he says, "it would not be wrong to cast a million dogs overboard to save the four human survivors, assuming the lifeboat case were otherwise the same. But neither would it be wrong to cast a million humans overboard to save a canine survivor, if the harm death would be for the humans was, in each case, less than the harm death would be for the dog."[172] In fact, Regan claims that he has reached the conclusion of choosing the lives of four humans not on the basis of a utilitarian calculation according to which the number of beneficiaries is considered important, but according to the harm principle, without the number having any importance. And he thinks that this does not contradict his categorical conception of inherent

[169] *Singer, Animal Liberation or Animal Rights?*, 7
[170] *Singer, Animal Liberation or Animal Rights?*, 11
[171] *Singer, Practical Ethics*, 85
[172] *Regan, The Dog in a Lifeboat: An Exchange*

value, because, "the dog's risk of dying is assumed to be the same as that run by each of the human survivors. And it is further assumed that no one runs this risk because of past violations of rights."[173]

However, Singer responds to him in two ways: on the one hand, he imagines a situation in which humans and dogs have already been affected by a fatal virus un-coercively and in a situation of equal peril. Even though doing experiments on them could kill them, it might save many others by gaining a good knowledge for treating the disease. As Singer says, "if Regan thinks a dog should be thrown out of the lifeboat so that the humans in it can be saved, he cannot consistently deny that we should experiment on a diseased dog to save diseased humans"[174]; On the other hand, as Singer says, if the number is not important, and just the amount of harms should be counted, irrespective of the numbers of involved individuals, whether it is a million or two million dogs against a human, with regard to the animal experimentation, "he would have to say that it would be better to perform the experiment on a million dogs than to perform it on a single human."[175] For, regardless of the number of dogs, a dog has lesser harms than that of any human individual. For Singer, this means,

> "Regan's allegedly 'totally abolitionist' rights view actually permits much more—in fact, literally infinitely more—animal experimentation than the utilitarian view, which adds up the harm suffered by the dogs and would at some point say that this harm is greater than the harm which would be suffered by a single human being."[176]

In other words, this is against his conception of animals as the subjects of a life with a categorical inherent value which cannot be violated in any manner.

4. According to the fourth Regan's criticism, if the preference utilitarianism intends to count persons' interests equally, because of its concentration on the consequences of intensive animal farming, and considering the interests of billions of people whose interests are in that, it has to conclude that this method of farming is proper and ethical. However, according to Singer, a consistent utilitarianism, is one which, as well as animals, includes non-human animals in its utilitarian calculations and takes into consideration their interests. However, even if we want to concentrate on the consequences of banning factory farming just for humans, rather than animals, we would reach the conclusion that banning factory farms in the long-term will have the greatest advantages for humans as well. Namely, ceasing the existence of factory farming and as a result general vegetarianism brings about releasing a great amount of grains which are used by these industries, and through which many people who live in poverty and suffer malnutrition could be fed and the problem of world poverty could be figured out. An advantage can be by itself far better than the unemployment for those people who are engaged in the industry. Secondly, we can point out the health advantages for people,

[173] *Ibid*.
[174] *Ibid*.
[175] *Ibid*.
[176] *ibid*.

according to which this procedure can lead to decreasing heart and other food-related diseases, for which animal foods are considered the main reason. Finally, there are many other advantages that stopping factory farming would have for the environment and also reducing global warming.[177]

5. According to the last objection, in the procedure of utilitarian calculations, the absence of differentiating between the fundamental or basic preferences and the non-basic ones is clear, and even though we could find such a differentiation, it is not clear how it could be applied in the utilitarian calculations.

   Although, Singer speaks about the basic interests and preferences that humans have, "like the interest in avoiding pain, in satisfying basic needs for food and shelter, to love and care for any children one may have, to enjoy friendly and loving relations with others and to be free to pursue one's projects," but since "the principle of equal consideration of interests acts like a pair of scales, weighing interests impartially, true scales favour the side where the interest is stronger or where several interests combine to outweigh a smaller number of similar interests . . .,"[178] it is not still clear how in some cases the basic interests of one or more people could be more important than the non-basic interests of thousands or millions of people. It is in this sense that the objection of *injustice* may be raised. As an example, if the pleasure of watching a football match is dependent on the death of somebody at the moment of broadcasting, it seems that, according to the Singerian criterion, this should be done and the person has not to be saved, because on the one hand the satisfied pleasure of spectators is not an evil pleasure, i.e., they do not sadistically take pleasure in somebody's suffering, and on the other hand, the intensity of the preference satisfaction of thousands or millions of people is quantitatively stronger than the intensity of one person for continuing his life.[179] Therefore, it seems the preference satisfaction of watching a football match by thousands or millions of people is more valuable than the preference of one person for his life. However, it seems unfair that one person's life should be taken for the preference satisfactions of other people just for entertainment. I think, perhaps one solution for the problem of injustice would be that we weigh the value of basic preferences just with themselves, rather than measuring them with luxurious or non-basic ones. Therefore, the priority should always be given to the basic ones, no matter the non-basic preferences of how many people are dependent on the frustration of fundamental preferences of one single individual. When it is probable that a fundamental preference is violated for an unimportant one, such trading off should be ruled out. This is dependent on providing a list of fundamental preferences that Singer has not shown concerns for, and which is something that Nussbaum in her capabilities approach has tried to provide.

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[177] *Singer, Utilitarianism and Vegetarianism*, 33-34
[178] *Singer, Practical Ethics*, 20-22
[179] See: *Mulgan, Understanding Utilitarianism*, 94, 109.

Finally, I want to scrutinize Regan's conception of *inherent value*, and based on Singer's criticisms analyze it in more details. Inherent value might make sense in one of these two ways:

1. In one sense, the value of a being is dependent on its capabilities, and so long as it has those capabilities, it could be considered valuable: it is like what is considered valuable is the content of the cup, rather than the cup itself. It is valuable to the extent that it has valuable content. If Regan, by inherent value, means this, as his analysis of the conception of *the subject of a life* is more consistent with this sense, because what makes a creature a subject of a life is having some specific capabilities, as we saw earlier, then his conception of inherent value is the same as Singer;
2. In the other sense, one being, regardless of its capabilities, is regarded as valuable by itself: just as the very cup, regardless of its content, is considered as having a great importance. However, this conception of inherent value is not compatible with his criterion of *the subject of a life* in which the capabilities or contents play a major role.

   To explicate this difference, Singer uses the example of a person who is in an irreversible coma. According to him, there are two views regarding such a person: the first is that such a person does not have inherent value; the second one is that this person has inherent value, as far as he is alive. According to the first view, what gives value to a person is his capabilities, and according to the second, *being alive* is considered valuable. Singer says, on the basis of his norm of being the subject of a life, Regan has to accept the first view, because such a person is not a subject of a life anymore, and this is a view that utilitarianism also agrees with.[180] However, the problem is that Regan sees himself sympathetic to the second view, when he finds comatose people with inherent value.[181] To Singer's criticism, we can add the point that in this case it seems that Regan contradicts his criterion, on the one hand, and also renders it redundant since is not clear what kind of role we can attribute to it. For if merely being alive, like a comatose one, gives a creature inherent value, this means that being sentient and conscious as the features of moral patients, or being a subject of a life with more extra capabilities do not play any role to determine a creature's value. However, Regan himself is a critic of being alive as the criterion of having value, when, for instance, he says about amoebas or plants, despite the fact that they are alive, they are not subjects-of-a-life, and are without any rights.[182] In fact, life as a criterion seems too low, and being a subject of a life seems too high. Perhaps something in the middle can be the answer: being a moral patient. As we saw, according to him, the inherent value, in a more general sense, is ascribed to moral patients, which is a more general criterion than the subjects of a life who have more extra capabilities. Therefore, for him, the criterion of the subject of a life is considered the sufficient condition, rather than the necessary one, for having

[180] *Singer, Animal Liberation or Animal Rights?*, 8
[181] *Regan, The Case for Animal Rights*,246
[182] *Regan, Animal Rights, Human Wrongs*, 100-101

inherent value. Therefore, what gives inherent value to a creature, as the necessary condition, is being sentient and conscious, rather than being the subject of a life, because sentience and consciousness are the common features of all moral patients. In this sense, the Reganian criterion of having inherent value seems to end up in the Singerian one, and he has not added any important point to it.

1.4.2 Singer and the responses to Nussbaum's objections

1. The first of Nussbaum's objections is that the good is pleasure and the other related critiques that flow after this conception. This objection is mostly targeted at hedonistic utilitarianism, however we can consider it with regard to the preference utilitarianism as well, and finding Singer's possible responses to it. As we saw in analyzing Regan's objection to Singer regarding the evil preferences, not every preference, according to his utilitarian approach, is a good one, even if it is pleasurable. There are preferences which are pleasurable at first sight, however, after being satisfied, they do not make the owner happier. Therefore, Nussbaum's objection to Singer would be correct if he would not have an evaluative approach to preferences and observed them good by themselves, regardless of their consequences. This response from Singer can also be a reaction to other objections by Nussbaum to his approach on the nature of preference, manipulated preferences, preferences out of ignorance, greed and adaptive preferences. According to him, "my view is that the preferences we should satisfy, other things being equal, are those that people would hold if they were fully informed, reflective, and vividly aware of the consequences of satisfying their preferences."[183]
2. As for the other objection by Nussbaum to utilitarianism, it is also more related to hedonistic utilitarianism, according to which the difference between pleasures is quantitative, not qualitative, but we can apply it to the preferences and see the possible responses from Singer. It does not seem, according to Singer's approach, preferences are qualitatively the same and differences between them are related to their quantity. As we saw earlier, preferences are not considered replaceable by him. In other words, we cannot replace a person's preference in continued life with the other person's similar to that, even though their preferences are the same by quantity. *X*'s preference in continued life is different from the similar preference from *Y*, and therefore, if we kill *X* and replace him with *Y*, we have frustrated *X*'s preference, though *Y*'s preference by intensity and quantity is the same as *X's*.
3. As we saw, the second of Nussbaum's objection to utilitarianism was about sum-ranking. According to her point, sum-ranking raises two problems: the one is to make claims on the right and the wrong dependent on the utilitarian calculations, and then allows the worst acts and procedures, whereas an act

[183] *Singer*, *A Response to Martha Nussbaum*, November 13, 2002. This article is just published on the internet with this address: *https://www.utilitarian.net/singer/by/20021113.htm.* Since it does not have any formal paging, I have to refer to it without any numbering.

or procedure's right or wrong is already evident intuitively. The other is that this procedure denies the separateness of persons and sacrifices their good for the community.

Regarding Singer's response to the first objection, we confront two contradictory claims by him. On the one hand, as we saw in assessing the second objection by Regan, Singer, following Hare, assumes following up the general and well-chosen principles as principal, and limiting their violation just to some particular cases in the critical and theoretical level. On the other hand, in a specific response to Nussbaum's objections, he points out that this criticism by her is in the same line with Regan's objection to utilitarianism which "provides a shaky basis for vegetarianism – as if our knowledge that it is right to be a vegetarian somehow comes first, before we have considered whether becoming a vegetarian will reduce suffering overall."[184] And this is implausible for Singer, because "if the rightness of vegetarianism is something we can know by intuition, that would certainly save philosophers a lot of work."[185] That is, if we have to principally follow up our well-chosen intuitions and not to try to violate the general principles and not to apply the utilitarian calculations for each single case, and if vegetarianism, according to him, is not intuitive, we have to limit it just to the critical and theoretical level. One can say, if we generally had to pursue our well-chosen intuitions and general principles, we would not reach vegetarianism, and if we become vegetarian, since it has not been made intuitively, we have to violate our intuitions. It seems to me, to resolve this problem, Singer has either to accept vegetarianism as a well-chosen intuitive principle or an indirect outcome of the other intuitive principles like no harms to others, which in this case he will reach Nussbaum's and Regan's view, or he has to limit it just to the critical and theoretical level, in this case vegetarianism would not get a practical and comprehensive procedure, but rather a merely theoretical.

However, Singer's response to the second objection is that utilitarians do not deny persons' individuality or separateness, but rather what they deny is that, "one ought not to trade benefits to one person against benefits to another."[186] As we saw in assessing Singer's response to the third objection by Regan, using one person as a means for the overall good is not only not opposed to the equal consideration for his/her interests, but rather is compatible with it, because in complicated circumstances in which we may be forced to choose between one and several people, choosing the latter is a right choice. However, the main issue on the basis of his differentiation between the intuitive and the critical level is that these sorts of calculations should be limited simply to theory, not practice, and this shows us the lack of practical significance for them.

4. Regarding Nussbaum's objection to the consequentialist and maximizing character of utilitarianism, according to which, the main aim should be

[184] *Singer, A Response to Martha Nussbaum.*
[185] *Ibid.*
[186] *Singer, A Response to Martha Nussbaum.*

maximizing the overall good, according to her, the right procedure in this regard should be securing the basic justice and a minimum of the basic capabilities, Singer responses as follows:

> "Nussbaum's denial that empirical calculations are relevant appears to require that if a society has only one member below the minimum entitlement level, it should spend all its resources on bringing that member above the entitlement level before it spends anything at all on raising the welfare level of anyone else, no matter how big a difference the resources could make to everyone else in society. That, surely, is an absurdity."[187]

5. Another objection by Nussbaum concerned Singer's conception of preference as conscious awareness. According to her analysis, if a preference has not registered in one creature's consciousness, or it does not have a conscious interest in it, because of manipulated living conditions, then even though it is related to the one of its basic capabilities, it is not a failure according to Singer's view. For instance, if animals who have been reared in factory farming do not have any idea of well-being in any way and it has not gotten in their consciousness, this means that they do not have such a preference and this is not considered as a failure. But as we saw with Singer's analysis on preferences, he just considers as valuable those preferences which have consciously been well chosen. Therefore, if an animal has gotten used to living in the frustrating conditions of factory farming in so far as it does not have any conscious interests in its welfare, this is the manipulation and distortion of its preferences, whereas if an animal was aware of the conditions of a good life, i.e., he had completely conscious preferences, he would not choose those awful circumstances at all. Singer seems to be able to respond to Nussbaum's objection on the basis of his evaluative approach to preferences.

Having assessed Singer's responses to Nussbaum's objections, it would be good if I point out the criticisms that Singer makes of Nussbaum's approach.

According to him, what is considered important in the capabilities approach is not a capability by itself, even though a basic one, but rather those capabilities which are evaluated *as important and good*. For instance, even if the capability of aggression is evaluated as innate and basic for human and non-humans, but since the capacity is not evaluated *as important and good*, there is no room for it in the capabilities approach. Therefore, according to Singer, "it is that evaluation, not the claim that it is a waste and a tragedy when a being has no opportunity to perform innate functions, that is the key ethical claim underlying the capability approach."[188] The real issue, according to his objection, is that Nussbaum and also Amartya Sen as the founding father of the capabilities approach, do not have many things to say in this regard. Singer holds that the failure might be resolved in two ways: either in the sense that "a capability be considered important and good if, without the opportunity to use it, the beings in question will not be able to satisfy some of their strongest considered

[187] *Ibid*.
[188] *Singer, A Response to Martha Nussbaum*.

preferences."[189] In this case, the capabilities approach turns into a derivative form of preference utilitarianism, "an approach to political justice that says we should pay attention to capabilities, because they enable beings to satisfy their preferences"[190]; or a parallel explanation according to hedonistic utilitarianism can be proposed, according to which, "we should consider capabilities important and good if, without the opportunity to use them, the beings in question will be less happy or more miserable."[191] This also turns it into a derivative form of hedonistic utilitarianism.

But as we saw in assessing Nussbaum's views, according to her, the criterion to differentiate between right and wrong innate capabilities was *no harm to others*, according to which harming others does not have any place in the capabilities approach for a dignified and flourishing life. In fact, without resorting to preference or hedonistic utilitarianism, Nussbaum has been able to provide a list of basic capabilities. Whereas it is possible to give a preference-based or hedonistic account of her views regarding the *good and important* capabilities, however, it does not seem this is the only possible account of it, as she herself on the basis of harm principle, which can be understood as a derivative form of *sympathy to others*,[192] tries to explain it. And *sympathy to others* or *putting ourselves in others' shoes*, as the golden rule in morality can be a good utterance of it, is finally something that Singer himself utilizes in justification and also generalization of his utilitarianism.[193] In short, as every capability is not valuable by itself and should be evaluated by the principle of harms to others as a derivative form of sympathy to others, similarly, every preference is not valuable by itself and should be evaluated by those principles too.

I have to point out an internal inconsistency which seems to me to be the case in Nussbaum's approach. On the one hand, she criticizes utilitarianism for its sum-ranking policy and then she finds it as opposed to the *separateness and individuality* of persons, and on the other hand, she finds it against most of our intuitive ethical principles that their rightness is already obvious. Accordingly, Nussbaum sees herself agreed with the conception of being *an end in itself* of each person, and points it out as one of the advantages of every rights-based view over utilitarianism, according to which, "consider[s] each and every individual as an end and their refusal to subordinate the interests of some creatures to the general social welfare."[194] However, on the other hand, in categories like using animals for food or experimentation, she weights their advantages and disadvantages to the collective welfare, and depending on the advantages that they may have for humans or animals, unlike Regan, she does not "favor stopping all such

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[189] *Ibid*.
[190] *Ibid*.
[191] *Ibid*.
[192] i.e., how can we find that X is in pain and consider it as an object of moral consideration? Because, we make a mental switch to that creature's situation, and we suppose ourselves in its conditions. As far as there is no such a procedure, finding others' situations seems to be impossible.
[193] *Singer, Practical Ethics*, 10-13
[194] *Nussbaum, Animal Rights: The Need for a Theoretical Basis*, 1534

research."[195] The problem is, on the one side, she thinks of herself as a critic of the utilitarian sum-ranking and tradeoffs and in favor of the absolutist rights-based view regarding each person being an end in itself, and on the other side, she uses the utilitarian norm and contradicts her second claim.

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Having assessed the three thinkers' views pretty thoroughly, now we can suppose ourselves in a good position to assess their criteria for ethical consideration. We saw that Singer's criterion to include a creature in the ethical sphere was *sentience*. Therefore, once a creature is able to feel pain and pleasure, irrespective of the race, sex or the species it belongs to, it is sufficient to be regarded as an object of ethical consideration. On the other hand, the criterion of ethical consideration on Regan's view was being a *moral patient,* which is more general than the *subject of a life*, according to which every creature which is found as a moral patient has an *inherent value*. But as we saw in the analysis of the conception of inherent value, Regan's criterion finally ends up in Singer's criterion of sentiency, because being a subject of a life is just a sufficient condition for having inherent value, while there are creatures which are not subjects of a life, however, they have this kind of value. In other words, it was sentiency as the required condition of having inherent value and also as the overlapping feature between all moral patients. In assessing Nussbaum's criterion for inclusion a creature in the sphere of basic justice, we saw that, although she adopts a disjunctive approach in this regard, i.e., if a creature has *either* the capacity for pleasure and pain *or* the capacity for movement from place to place *or* the capacity for emotion and affiliation *or* the capacity for reasoning, and so forth, it is sufficient to make it eligible for entering into the sphere of justice. However, she admits that all of these capabilities could be reduced to sentiency, in the sense of just being sentient makes a creature entitled to ethical consideration. In conclusion, it seems to me that the main criterion between all the three thinkers for ethical consideration is sentiency, and one can say, Regan's and Nussbaum's views, at least as far as their criterion is concerned, would be in the line with Singerian one.

If the three thinker's criteria are essentially the same, what makes a difference in their accounts in this regard? Is the difference between them related to different ends or purposes? I do not think so. As we saw, all of them are against animal exploitation for food, clothing, experimentation, and so forth. But what makes a difference among them is their different approaches to a single issue. Therefore, while all of them define abolition of all kinds of animal exploitations as their ideal end, however, Singer and Nussbaum find step by step reforms of the current living conditions of animals as the proper way to abolish all kinds of animal exploitation, but on the other hand, Regan from the beginning adopts an *abolitionist* approach to their exploitations, as he says "[n]ot larger cages, empty cages."[196] I think the main difference in their ideas is adopting two different

[195] *Nussbaum, Beyond "Compassion and Humanity"*, 318
[196] *Regan, Animal Rights, Human Wrongs*, 97

approaches to the same end, and it can lead to different results in some cases, especially when there is a conflict of interests between humans and non-human animals. If I am allowed to use the term *relativist* to describe Singer's position in eliminating all kinds of animal exploitations,[197] Regan's approach in this regard might be called *absolutist*.[198] These two different approaches are the main reason that despite the same end, but their confrontation with the issue seems different; the one side denies all kinds of use of animals and seeks for the immediate elimination of all of its kinds as its end; the other adopts a reformist approach in the sense of finding arrival to eradicate all kinds of exploitations depending on the step by step reforms and taking into consideration the conditions, the people involved and the consequences. In other words, while Singer holds that the end of elimination of animal exploitations can be met through a reformist utilitarian approach, Regan finds reaching the end through an absolutist approach of rights-view. Nussbaum also tries to provide her view as a synthesis of these two views as a consistent one, although as we saw, there are some inconsistencies in her view.

If I want to assess these three approaches, the step by step Singerian stance seems more sensible and realistic than the immediate Reganian one. Since the immediate abolition of all kinds of exploitations does not seem to be possible in the short-term, and it takes time for proper alternatives to be provided, for people as the main characters of these exploitations to become aware, and so forth, then the Singerian approach seems more strategic. On the other hand, we can consider the case of animal experimentation and compare their two different approaches. As we saw, whereas Singer allows using animal experimentation under very strict conditions and just in urgent cases, however, Regan denies it absolutely. What if producing a single medication for human or non-human animals is dependent on doing an experiment on an animal? Regan simply in a dogmatic manner, without considering the circumstances and contexts, refuses it completely, but Singer can see a space for assessing its advantages and disadvantages, even if this space is so limited and little. This seems to make Regan's approach troubled by some kind of *context-blindness*, and without any initiatives at the time of conflict of interests.[199] In other words, the absolutist Reganian view does not seem proper for the complicated situations and does not give us any solution except an entire opposition. But the Singerian utilitarian approach can give us better options, although as we saw, following Hare's distinction between two levels of ethics, he approaches the common ethics and takes distance from his utilitarian norms, makes it more difficult to find when we should do the utilitarian calculations. This is the case regarding Nussbaum's view, where she preserves some major elements of the Singerian utilitarianism, like the life-value of creatures as being a matter of degree, and upon that, makes

[197] *Singer, Practical Ethics*, 5
[198] Although, as we saw, he contradicts his abolitionist approach in the lifeboat case.
[199] This is at least the main implication of his rights-view, although later on by accepting choosing human's lives against dog's life in the lifeboat case, contradicts his categorical conception of inherent value. Something, as Singer observes, can lead to an infinite number of animal experimentations.

using animals for food and experimentation dependent on many conditions and limitations.

1.5 The necessity of reading modern animal ethics for the current project

I've tried to assess the criterion of ethical consideration and the non-human animals' status in the three modern animal ethicists. But as the title of the work indicates, my main purpose is going to be the assessment of the moral status of animals in the medieval and early modern Islamic philosophy, respectively by focusing on Avicenna's ideas and Mullā Ṣadrā's thought. The main question which might arise is about how necessary would assessing thinkers of the past be for contemporary animal ethics. In other words, how this chapter can contribute to the next two chapters?

In fact, the need for studying the contemporary views in the current work can be clarified when we note that the current work is not going to be simply a descriptive work of some major thinkers' ideas in the present and the past times, but rather a comparative-critical study. In other words, I want to ask the question of what kind of relationship can be found between the moral status of animals in the past Islamic times and the contemporary ethical concerns and the other related issues in this regard? How the philosophers of the past might be assessed on the basis of modern animal ethics, with consideration of their contexts and the historical backgrounds? For instance, how their approaches with regard to animals could be described, as direct-views or indirect-views? Are we allowed to judge and label them with modern ethical terminologies, such as speciesist? What kind of dialogue can be formed between these ideas in different times and historical contexts?

On the other hand, the necessity of understanding the current views on the moral status of animals becomes more evident and plausible when we recognize that these perspectives have been shaped through criticism and dialogue with past views and philosophies, rather than emerging out of nowhere, as if in a vacuum i.e., without consideration for the prevailing historical perspectives. As the three major contemporary thinkers that we assessed, following different approaches that they adopt (Singer following Bentham's utilitarianism, Regan following Kant's rights-based view and Nussbaum following Aristotle, contractarianism and so on), they construct their views in a critical dialogue with the views in the ancient Greek world, Judeo-Christian traditions (the first as one of the major resources of Muslim philosophers, and the second as a tradition which has many similarities with the Islamic one, all three known as Abrahamic religions), the Enlightenment and so forth. This means that studying the past with no consideration to the contemporary context would be a non-fruitful work, since reconstructing the past views needs always to be performed in the light of contemporary concerns to find out how the past might contribute to modern

concerns, and conversely, studying the current views without paying attention to the past would be incomplete, just like a patient with no record, that would make it almost impossible to treat in a proper way.

دل گرچه در این بادیه بسیار شتافت/یک موی ندانست ولی موی شکافت

اندر دل من هزار خورشید بتافت/و آخر به کمال ذره‌ای راه نیافت (ابن‌سینا)

2 CHAPTER 2: RECONSTRUCTING AVICENNIAN ANIMAL PHILOSOPHY

We can talk about the title of 'animals in Avicennian philosophy' with two broad topics of 'animal capabilities' and 'animal incapabilities.' In the first one, I would like to investigate those capabilities that Avicenna ascribes to animals. To do it, we should first know about the 'animal soul' and those capabilities that he attributes to it. However, without knowing about Avicennian natural philosophy, this might not be realized perfectly, because his psychology is highly influenced by his natural philosophy.

Subsequently, I shall investigate those capabilities that he denies for animals. In this case, I will discuss mostly the rational soul, as a human characteristic, and those activities that are peculiar to it i.e., that non-human animals are devoid of. As we will see, this can have some metaphysical consequences for non-human animals as they occupy an inferior status in his metaphysical framework. In fact, the lack of the rational soul creates a huge gap between human and non-human animals that, from a speciecist standpoint, does not seem to be easily bridgeable. This in turn can have its own moral consequences for other species too. After having a thorough investigation of the cognitive faculties of non-human animals according to Avicennian philosophy, I will turn to the exact consequences of the moral status of animals in his works and his moral philosophy. We will see that he eventually adopts some kind of sentientist approach towards animals as moral objects that due to the compassionate instinct from us humans, and since they are creatures with the capability of feeling pain, we should treat them properly, although the implications of his view might not be clear and would be limited in its usage. Therefore, the first step is to reconstruct Avicennian animal philosophy. Before that, let's first have a glimpse of his natural philosophy.

2.1 Avicennian natural philosophy

Avicenna in his natural philosophy is Aristotelian-Galenic. Following Aristotle, he thinks of the world and entities in the hylomorphic context of form and matter. All natural substances are a composite of form and matter, where matter per se is undetermined and shapeless and form determines it as something real.[200]

All worldly entities, except the intellects (*ʻuqūl*) and the human soul, are mixed up of four primordial elements (*ʼarkān*) that each one has its own active and passive qualities or nature different from the other: earth as the heaviest is cold and dry; water that is lighter is cold and wet; then air as warm and wet and fire as the finest one is warm and dry. While they are similar in the matter, it is the form that makes them different with disparate and opposing qualities.[201] These elements work in Avicenna's natural philosophy like the fundamental particles in contemporary physics that are supposed to compose the world, however, in the context of a naked-eye science, i.e., scientific explanations without having access to new devices for going into the microscopic world just on the basis of the visible macroscopic world.

After these simple elements, the world and its entities formed in a hierarchical manner. While the elements are simple (*basīṭ*), minerals formed by a mixture of these elements. Any composite has a specific mixture (*mizāj*), which comes from the interaction between different qualities of these elements and results in a new proportioned mixture of elements, as water's coldness might affect the fire's warmth or vice versa, or earth's dryness affects water's moisture.[202] According to him, the more the mixture gets balanced, the matter finds a finer mixture disposing it to a more perfect form. According to this great chain of being, the minerals or inanimate matters (*jamādāt*) have the least balanced mixture. After that, there are plants with a finer mixture and a superior form, i.e. the plant soul. Animals in this metaphysical chain occupy the next level, as the animal soul. Finally, there are humans having the finest mixture of elements and the best form, that is, the human soul, although, as will become clear shortly, the human soul, strictly speaking, is not a form of the human body. The more the creature gets finer in its mixture, the more complicated, requiring a more sophisticated form.[203] Therefore, in this metaphysical scheme we can see how different species occupy different status, as animals after plants and before humans occupy a middle location. This is why Avicenna, following Aristotle, speaks about the forms in organic or living things, i.e., plants, animals and humans, as the soul.

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[200] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 312,318. All the translations from Arabic and Persian are mine, unless mentioned otherwise.
[201] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 146-49, 161-63.
[202] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 166; *Avicenna, Al-Ḥayawān*, 192.
[203] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 180-82, 195.

2.2 The soul

Avicenna recognizes three different kinds of soul (*nafs*) in the sublunary sphere, though the celestial bodies have their own souls. He tries to provide different arguments for the existence of this invisible thing. However, among them, we can refer to some of the most important ones.

In relation to his natural philosophy, the soul plays the major role of a *generator* and *preserver* of different mixtures.[204] Since the fundamental elements have different opposing qualities, holding them together as a proportioned mixture, they require something like a metaphysical glue or link, which is known as the form in inanimate things like elements and minerals, and the soul in more complex creatures. In fact, the soul is the form but in organic creatures. In the absence of such a principle that holds them together, each of the elements that constitute the mixture as an entity, due to their natural inclinations, would move to their natural places, and the entity they compose would as a result dissolve, decay (*dhubūl*) or corrupt.[205]

The other argument that Avicenna in his natural philosophy gives for the existence of the soul and its difference from the form is related to varied acts and movements that cannot originate from the nature (*ṭab'*) resulted from the form. Therefore, something more than a form is needed to explain them, i.e., the soul. As we read in the notes of Avicenna's *De anima*,

> "if there are the same effects without the volition, [the source] is known as the mineral form, not the soul; if there are the same effects with the volition, the source is the celestial soul; and varied effects with the volition come from an origin which is the animal soul; and the varied effects without the volition come from the source as the plant soul."[206]

Therefore, whereas nature causes the invariable movements, without volition, like the natural inclination (*mayl*) of fire for rising up or the rock for falling down, the soul brings about variable acts and movements. The only exception are celestial bodies; even though they have circular uniform movements, still they are seen by him as being with soul and volition.

The other reason for the existence of such an invisible entity comes from different activities that creatures might have. According to him, these acts cannot come from the matter per se; otherwise, all material things would have similar abilities. Then it should come from something different from their body or matter as a pure potentiality.[207] On the other hand, since all these activities are interconnected, that is, one activity can influence the other one, for instance, malnutrition might negatively affect the growth and reproduction in plants, then there should be one central source that makes all these activities interconnected.

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[204] *Avicenna, al-Nafs*, 39.
[205] *Avicenna, al-Nafs*, 43, 75-6; *Aristotle, De Anima*, 56/ 416a.
[206] *Avicenna, al-Nafs*, 13, in footnotes.
[207] *Avicenna, al-Nafs*, 13.

Avicenna calls this source as the soul. Thus, all vital activities of a living thing come from its soul.[208]

2.2.1 Definition of the soul

Subsequently, Avicenna, in an Aristotelian style, defines the soul as, "the first perfection (*kamāl*) [entelechy] of a natural organic body as having life."[209] It is *perfection*, because regarding the matter that receives it, i.e., the body, the soul specifies and brings it into actuality as the kind of thing that it is. He thinks of perfection as more peculiar and more suitable than the form, because whereas "all forms are perfection, however, all perfections are not forms," like the king for a city or a sailor for a ship.[210] Even though they perfect the country or the ship, however, they are not the form for them. It is *first* perfection, because whereas the first perfection is the thing that makes something as it is, or the thing through which "animal is actualized as animal and plant as plant,"[211] there are secondary perfections that are acts and effects that come out of the first perfection. If the specific shape of a sword, i.e., swordness, is the first perfection, sharpness is the secondary one that results from swordness.[212] He uses *natural organic body* to exclude from his definition artifacts, like a chair, and in-organic bodies, like a rock. Therefore, the soul should be exclusively used as the form in living creatures.

Within this hierarchical metaphysical context, to explain different faculties in different creatures, Avicenna, following Aristotle, thinks of three different kinds of soul. And since each superior level includes the inferior level as the genus (*jins*), though not vice versa, to find out the animal capabilities, first we should have a general look at the vegetative soul and its faculties as the most primitive one.[213]

2.3 Animal capabilities

2.3.1 Plant soul

Avicenna defines the plant soul as, "the first perfection of a natural organic body as it reproduces, grows and nourishes."[214] Therefore, he distinguishes three major activities or faculties for the plant soul:

1. *nutritive* faculty (*ghādhīya*), that nourishes the plant to survive, by transforming the food into the dissolved materials of the body. In animals and humans, this faculty transforms the food into the blood and elemental

[208] *Avicenna, al-Nafs*, 43, 322.
[209] *Avicenna, al-Nafs*, 21-22.
[210] *Avicenna, al-Nafs*, 16.
[211] *Avicenna, al-Nafs*, 18.
[212] *Avicenna, al-Nafs*, 21.
[213] *Avicenna, al-Nafs*, 54.
[214] *Avicenna, al-Nafs*, 53; *Avicenna, al-Najāt*, Rahman trs, 25.

mixtures (*'akhlāṭ*) that constitute the body and then spreads it throughout the whole body.[215] Since he recognizes a *telos* (*ghāya*) for all the soul's faculties, he thinks of *preserving* the individual's substance as the end of this one.[216] It is the most fundamental faculty for the plant, that is, the real differentia of the animate matter from the inanimate one, because, the plant without nutrition would be a dead body. This is why he sees the faculty that exists in the plant by the end of its life, even though it cannot work well in the final days.[217]

2. *growth* faculty (*nāmiya*), that accounts for getting matured and developed.[218] For him, it is the growth faculty that takes under its control the nutritive faculty for distributing the nutrition throughout the body, because while the former distributes the food equally to all parts of the body (with fatness a potential consequence), the latter, however, adjusts it in such a way that some parts get nourished more than the others, because all parts do not need an equal amount of nutrition. This is the true process of development.[219] This faculty, in contrast to the nutritive, "works until the age of maturity and then stops working, and consequently the reproductive faculty starts its function."[220] The end of this faculty is *completing* the individual's substance.[221]
3. *reproductive* faculty (*muwallida*), as the third and the last vegetative faculty, that in the first place, transforms the food into seed and sperm, and consequently, changes it into the plant, animal or human species form. The end of this faculty is to *preserve* the species form or guarantee its survival.[222]

2.3.2 Animal soul

The next level, in the great chain of being, is occupied by the animal soul. As we saw earlier, the superior level, as well as its own abilities, has all the capabilities of the inferior one. Therefore, the animal soul has all the faculties of the vegetative soul and its own unique ones.

Avicenna's definition of the animal soul is, "the first perfection of a natural organic body insofar as it perceives particulars and has volitional (*'irāda*) movement."[223] Therefore, he distinguishes two sorts of major faculties in animals as the origins of the other ones: *perceptual* faculties (*'idrāk*) and *motive* ones (*ḥaraka*), or sensation (*ḥīss*) and motion as the characteristics of animal qua animal.[224] Unlike plants that are free of any kind of perception, animals are perceptive, and whereas both the plants and animals are undergo motion, the varied volitional movements just belong to the animal soul, while plants are without the volitional kind.

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[215] *Avicenna, Dāneshnāmeh-ye ʿAlā'ī*, 40, 181; *Avicenna, al-Nafs*, 71.
[216] *Avicenna, al-Nafs*, 74.
[217] *Avicenna, Dāneshnāmeh-ye ʿAlā'ī*, 181.
[218] *Avicenna, Dāneshnāmeh-ye ʿAlā'ī*, 181.
[219] *Avicenna, al-Nafs*, 71-2.
[220] *Avicenna, Dāneshnāmeh-ye ʿAlā'ī*, 181.
[221] *Avicenna, al-Nafs*, 74.
[222] *Avicenna, al-Nafs*, 73-4.
[223] *Avicenna, al-Nafs*, 53; *Avicenna, al-Najāt, Rahman trs*, 25.
[224] *Avicenna, Al-Ḥayawān*, 189.

According to another classification for the animal faculties, Avicenna distinguishes three major activities, and subsequently faculties, on which the animal constitution is dependent: 1. *natural faculty* (*quwwa ṭabi'iya*), accounts for nourishing. Bodily organs like stomach, liver, etc., perform these activities; 2. *animal faculty* (*quwwa ḥayavāniya*), which accounts for supplying the spirit. Heart, lungs, etc., are its bodily organs; and 3. *mental faculty* (*quwwa nafsāniya*), accounts for sense perceptions and motive activities that originate from the brain, spinal cord, nerves, etc.[225]

In the animal soul, what works as the intermediary for sensation and movement is known as the *spirit* (*rūḥ*), or *pneuma* that originates from the heart and lungs. For Avicenna, the spirit, following the Greek tradition is, "a subtle body, composed of the steam of elemental mixture, [but] a subtle mixture on which the mental faculties are mounted,"[226] and transmitting from the body to the soul. He thinks of air as the main ingredient of the spirit that is provided through the lungs,[227] and "the spirit is generated there [in heart] from a fine blood."[228] The spirit, as it is dispersed throughout the body by means of the blood, functions "much in the way that neural firings operate in modern physiology."[229]

2.3.2.1 Animal's perceptual faculties

Following Aristotle and peripatetic tradition, Avicenna thinks of perception in the matter-form context, as a representation (*tamaththul*) of outer forms imprinted on the animal mind that functions like a mirror. Therefore, he defines perception as, "the reception of the perceived form in some way [for the percipient]."[230] Accordingly, when the perception occurs through the presence of the external object in such a way that once it disappears, the perception would cease too, this is called *external sense perception*. Like when we see and smell an apple that we are just sensing; however, once it's taken away we can't see and smell it anymore. But when perception occurs without the presence of the object, depending on the level of abstraction (*tajrid*) from material concomitants, we can have different kinds of *internal sensations.*[231] Like remembering the image and the smell of a missing apple as an imaginative form in us. But is it like that perception takes place as a result of extracting external forms of objects by our minds? In fact, according to Avicenna, it is not the exterior form of the object that is peeled from it and comes to our mind; for in this case to be "informed by that form is to become that selfsame body, and to rob it of its colour, sound, and flavor."[232] Rather, after perceptually encountering something, a duplicate of that external form is generated in our minds through which we can perceive that thing. In

[225] *Avicenna, Al-Ḥayawān*, 297.
[226] *Avicenna, Dāneshnāmeh-ye ʿAlā'ī*, 215.
[227] *Avicenna, Al-Ḥayawān*, 275.
[228] *Avicenna, Al-Ḥayawān*, 284.
[229] McGinnis, 2010, 235.
[230] *Avicenna, al-Nafs*, 78; *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 237, 244.
[231] *Avicenna, al-Nafs*, 78; *Avicenna, al-Najāt, Rahman trs*, 38.
[232] Black, 2014, 198.

other words, we know every object indirectly through the presence of its impression in our minds which represents it. This is why his theory on perception is called indirect representationalism.[233] As Black says, "what the perceiver receives instead is a numerically distinct sensible form impressed into her sense organs, and through that impression she senses the corresponding qualities in material objects," an impression which is like (*mithl*) or appears (*shabaḥ*) to them.[234] Avicenna thinks of that impression in our minds as reflecting or corresponding to the exact form of external things, although he doesn't provide a good ground for this correspondence.[235] Now we can investigate each of them in more detail.

2.3.2.1.1 External senses

Avicenna considers the five sense perceptions take place by the external senses. For him, all animals with blood that give birth have the five sense perceptions, and he affirms them in different degrees for fish, insects and other animal species also.[236] We can have a closer look at each one to find how they function in animals.

1. Sense of touch: For Avicenna, sensation, affection or perception in its fundamental form is touch, and touch occurs through qualitative changes, i.e., when the sense organ goes beyond its equilibrium by contacting outer qualities in objects, like warmth, cold, moisture, etc., though these changes should not be to the extent that make the mixture imbalanced. For example, if the skin contacts something in the same temperature of its own, it cannot sense it, because it has not caused any changes in the temperament of the skin. To have the sense of touch, it should be in contact with something higher or lower than the skin's temperature.[237] The touch spreads throughout the whole body's skin to protect the animal from the outer harms that might imbalance the animal's temperament,[238] especially those ones that are close to the animal, because in case of far-distanced objects, the other senses account for them.[239] Two conclusions are drawn from this explanation: firstly, the simple things due to the lack of temperament are devoid of perception, like the four elements; secondly, the more the temperament gets finer, the more complete soul belongs to the matter with the finer perception, as the human being with the finest soul occupies the highest level.[240] Regarding minerals and plants, they might not have any perception, because their temperament is not so balanced so that perception belongs to them.

   Volitional movements, as the other characteristic of animals distinguishing them from plants, results from the sense of touch. The

[233] Black, 2014, 186.
[234] Black, 2014, 197-8; 200.
[235] Black, 2014, 211.
[236] *Avicenna, Al-Ḥayawān,* 61-2.
[237] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī,* 184; *Avicenna, al-Nafs,* 99.
[238] *Avicenna, al-Nafs,* 90.
[239] *Avicenna, al-Nafs,* 96-8.
[240] *Avicenna, al-Nafs,* 99.

volitional movements might be in two forms, *locomotion* (*'intiqāl*), i.e., when the animal changes its location, and *expansion and contraction* (*'inqibāḍ wa 'inbisāṭ*), i.e., motion without changing the location. In other words, movements in animals result in either escaping from the sensed or seeking it. Therefore, those creatures that seem to be motionless, like mollusks and sponges, have the second kind of volitional movements and are taken into consideration in the animal kingdom. As a result, to define an animal as a motive creature is to define it as a perceptual creature.[241] We should investigate the motive faculties with more details shortly.

2. Taste: it comes following the sense of touch in animals by tongue, and is dependent on it, because without any contact with the sensed, the sense of taste would not be realized. However, the touch is not the sufficient reason for its realization, and it requires some other factors, that is, the intermediaries through which the taste conveys to the tongue as its organ, though in some other animals, the organ might be different. It is the moisture in the form of saliva that by itself should be tasteless. It springs from the salivary glands. The end of this faculty is preserving the body's constitution through desire and appetite for food.[242]
3. Smell: like the taste, the sense of smell is perceived by a bodily organ, i.e., nose, by means of a quality-less intermediary, i.e., the air in land creatures or water in marine animals, through which the data is conveyed to two nipple-shaped appendixes in the brain. Once this happens, the scent is sensed.[243] Although Avicenna thinks of humans as weaker than other animals in smelling, however, according to him, humans are stronger from other aspects, because they can stir some hidden odors through rubbing, the ability that other animals are not capable of, and culminating the sensation through smelling.[244]

   However, as well as humans being weaker in smelling than other animals, like vultures or ants, the main reason for our weakness comes from our inability to distinguish different smells in the same way as different tastes or tangibles, through which we might form stable instances. This is why, unlike tastes and tangibles, they do not have a precise categorization in our minds. We classify them just out of being good or bad, or through the tastes that usually associate with them, like sweetness, bitterness and so on. Avicenna likens the smelling in humans to perceiving the colors in hard sclera animals, like ants, that according to him, they cannot perceive the forms and colors in a vivid and stable way in their imagination. They appear to have a vague shadowy image of things, like someone with a weak sight sees distant objects.[245]
4. Hearing: the fourth animal sense, which is realized through an intermediary, air or water, is hearing. The sound by wavering the air or water, makes some

[241] *Avicenna, Al-Ḥayawān*, 93; *Avicenna, al-Nafs*, 91.
[242] *Avicenna, al-Nafs*, 100-3.
[243] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 184.
[244] *Avicenna, al-Nafs*, 102-3.
[245] *Avicenna, al-Nafs*, 102-3.

waving in the air inside the ear and then it affects the hearing nerves, i.e., eardrum, and then hearing occurs.[246]

5. Vision: the last external sense in animals is vision. Avicenna, in explaining vision and perception in general, follows Aristotle. He sees the eyes like a mirror that the form of extramental things is reflected on by means of a transparent intermediary, i.e., air or water, after light makes them visible to the eyes. Then the vision occurs.[247]

Regarding the necessity of each of these senses for the animal, Avicenna says,

> "some animals possess all five senses, while others only some of them. Taste and touch are necessarily created in all animals, and every animal must especially have the sense of touch; but there are animals which lack the sense of smell, hearing or sight."[248]

2.3.2.1.2 Internal senses

After investigating the external senses and their necessity for the survival of animals, Avicenna turns his attention to the internal senses. He relates some reasons for the existence of such senses as different from the external ones. *Firstly*, if the animal's cognitive content was limited to merely the external senses, it would not be able to form experiences of harmful or beneficial things by remembering them. *Secondly*, non-sensible intentions, the term that Avicenna coins for the objects of the estimative power, like apprehending the hostility of the wolf by a sheep, might not be perceived through sense perception and its storehouse. This is why they should have come from sources other than sensation. *Thirdly*, if all the external senses did not reach together in a central source (i.e., the common sense, as we will clarify shortly), a unified experience of something in the form of different sense perceptions would not be realized at all.[249] This is why unified experiences, remembering, and association between forms and intentions are among the most important reasons for the existence of a perceptual sphere other than sense perception. Now, we can have a thorough look at each one and their roles in animal's cognitive actions.

1. *Common sense*: depending on different objects and functions, Avicenna distinguishes between five distinct faculties as being internal. The first is common sense (*ḥiss mushtarak*). Common sense, which should not be confused with common sense in its colloquial meaning, that is, wise or sound judgment, works by integrating all external sense perceptions into a unified experience. It is as if the sense perceptions are streams pouring into a bigger pond,[250] or we might liken it to a hub and external senses to the spokes. For example, what I know as 'honey' is a combination of different sense perceptions, including specific kinds of sweetness, scent, stickiness and fluidity that each comes from a different sense perception. Without the

[246] *Avicenna, al-Nafs*, 108; *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 185.
[247] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 189.
[248] *Avicenna, al-Najāt, Rahman trs*, 31.
[249] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 183.
[250] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 192; *Avicenna, al-Nafs*, 58.

common sense, all perceptions would be a bunch of unorganized, scattered sense data without any connection among them.[251]

Following Galen, Avicenna localizes internal senses in the brain.[252] In *Pointers and Reminders* (*'Ishārāt wa Tanbihāt*), he thinks of anatomy as the main reason for this localization. As he says, "in fact, people have been led into the matter of existence of bodily organs [for internal senses]: because when there is a damage in a ventricle, there would be some damages in the faculty."[253] He identifies the forepart of the front ventricle of the brain as the location for common sense.

The association between different forms, which is performed by means of the estimative power in animals, as we'll see shortly, and also judging something as identical with or different from something, which is done in humans by the intellect, all are dependent on having a unified experience of dispersed sense data, something which is performed by common sense. In other words, to judge or to distinguish between two sensibles, the given faculty, "must find them together to do so," and it cannot be performed by the intellect, because as we will see, the intellect just perceives the universals and it is human specific, while the sensibles are particular and the intellect cannot perceive them.[254] On the other hand, we find these faculties in irrational non-human animals, like when a bear sees a yellow fluid matter, the taste of sweetness associates in the bear's mind. This is why, the locus for gathering all these perceived sensible forms from the external senses, in a unified experience, should be common between human and animal, because,

> "if there did not exist in animal that in which the sensible forms gather, then life would be impossible for them, and smell would not indicate a taste for them, or a sound a taste, and the form of a stick would not remind them of the form of pain so that they escape from it. Therefore, there should inevitably be an internal common [faculty] in which these forms gather."[255]

2. *Fantasia*: the next faculty, following common sense is *fantasia,* or *formative (muṣawwira) and retentive imagination (khayāl)*. It also has a corresponding bodily organ, which Avicenna thinks is in the rear part of the front ventricle of the brain.[256] According to him, even though fantasia and the common sense seem to be one faculty because their objects is the same, i.e., the sensible forms, however, they should be different, because according to the humor-based natural philosophy, the humor of what receives is different from the humor of what preserves, as the moisture accounts for the former, and dryness for the latter.[257] This faculty in animals works as a storehouse for the common sense, where the experienced forms, for instance, the image of honey, are stored there after the sensible object is gone.[258] We might liken the common

[251] McGinnis, 2010, 98.
[252] *Avicenna, al-Najāt, Rahman trs*, 79.
[253] *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 241.
[254] *Avicenna, al-Nafs*, 215.
[255] *Avicenna, al-Nafs*, 216.
[256] *Avicenna, al-Najāt, Rahman trs*, 31.
[257] *Avicenna, al-Nafs*, 59, 217.
[258] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 192.

sense to a computer screen and its random access memory (RAM) in which the information is presently available, whereas fantasia as a hard-disc on which information saved. On the other hand, while common sense has judgement (*ḥukm*) in a positive or negative way, like 'this red is sour' referring to an apple, fantasia is free from any kind of judgment.[259] The main question for our study is whether common sense in animals performs any judgment. Since, for Avicenna, judgment is dependent on having conception and assent (which are, as we will find shortly, among the functions of the intellect), and if animals are devoid of rational capabilities, ascribing judgments to them, at least of propositional kind, does not seem to be the case.

Therefore, fantasia just preserves or stores the sensible forms. The faculty is not perceptual; otherwise, it would have to perceive the forms it contains all together.[260] Avicenna thinks that, to perceive the imaginative forms in fantasia, they have to be transferred into common sense by another animal faculty, i.e., the estimation. There in the common sense, the recovered forms are perceived. He thinks of the common sense as the central point for sensation that all the external and also internal senses in animals transfer their data and the perception happens there.[261]

3. *Estimation*: if the two former animal faculties were related to the sensible forms, however, the estimation (*wahm*), for Avicenna, is a faculty whose objects are the *particular non-sensible intentions* (*maʿnā* [singular], *maʿānī* [plural]) that always accompany a sensible form. It means that the intentions can't be apprehended without conjoining to a sensible form.[262] Unlike Aristotle who refused to ascribe an intellect-like faculty to animals,[263] Avicenna thinks of the estimation as the king of animal faculties, which is similar to the intellect in humans.[264] Like the other animal faculties, he recognized the far end of the middle ventricle of the brain that accounts for this faculty. In *Pointers and Reminders* he considers the estimation as predominant over all the internal faculties in an animal and its organ or instrument (*āla*) is indeed the whole brain.[265] The main question before us is what an intention is? To scrutinize it, it would be better to investigate those instances for estimative intentions. For Avicenna, the intentions are of two kinds:
    a. *Sensible intentions* (*maʿānī maḥsūsa*): like when we or a non-human animal sees a yellowish fluid and then judges that it is sweet or it is honey. In fact, in this example, the taste-image of the sweetness or honey-ness at the time of judging do not come to us by tasting the substance, although we have already acquired the sweetness through tasting. Just by seeing the yellowish fluid, the sweetness and honeyness are associated in our minds.

[259] Avicenna, al-Nafs, 218.
[260] *Avicenna, al-Nafs*, 217.
[261] *Avicenna, al-Nafs*, 217, 226.
[262] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 199.
[263] Alwishah, 2016, 81.
[264] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 193.
[265] *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 240.

On the other hand, the judgment 'that yellowish fluid is sweet and honey,' is not from sense perception. Therefore, both the association and judgment should have come to us through another faculty that Avicenna calls the estimation, although our judgment might be wrong and that yellowish fluid might be vinegar.

b. *Non-sensible intentions*: Avicenna's well-known example for this kind of intentions is perceiving the hostility of wolves when a sheep sees them. In fact, the hostility of the wolf is not perceived by any of the external sense perceptions of the sheep.[266]

What is common between these two kinds of intentions is once the estimative judgment is performed, like judging the yellow fluid as sweet or the hostility of the wolf, none are acquired through the five sense perceptions. Therefore, as Avicenna concludes, apprehending these kinds of perceptions should come from a faculty different from the external senses, which he terms the estimation. Like the common sense, estimation also has judgments.[267]

In the *Salvation* (*Najāt*), regarding the estimative intentions, Avicenna thinks of them as immaterial things by themselves. He claims that,

> "The faculty of estimation [. . .] receives the intentions which in themselves are non-material, although they accidentally happen to be in matter. [. . .] but good and evil, agreeable and disagreeable, etc. [as estimative intentions], are in themselves non-material entities and their presence in matter is accidental. The proof of their being non-material is this: If it were of their essence to be material, then good and evil, agreeable and disagreeable would be inconceivable except as accidents in a physical body. It is clear that in themselves they are non-material and their being in matter is entirely by accident."[268]

This claim from Avicenna does not seem to fit with his claim about the sensible intentions, because the sensible intentions, like apprehending the sweetness by seeing the yellow matter, are material by themselves and they originate from the sense perceptions. Deborah Black in her article maintains that the estimative intentions, like the pure quiddity, are neither material nor immaterial by themselves, but rather they might be sometimes material or immaterial, depending on their origins.[269] Although this analysis might explain Avicenna's analysis in *De anima* regarding two different kinds of intentions, it does not seem to fit enough with his explicit claim in the *Salvation* that they are essentially non-material.

Jari Kaukua in his article tries to give another interpretation of sensible intentions of the estimative power. Unlike the more common interpretation that I expressed, he thinks that it is not for example sweetness in encountering the yellow fluid as the intention apprehended by the estimation; but rather, it is honeyness as the sensible intention that retrieves the taste-image of sweetness from the formative faculty. In fact, according to him, sensible intention is something that gathers all different kinds of sensible qualities

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[266] *Avicenna, al-Nafs*, 218-19.
[267] *Avicenna, al-Nafs*, 218-19; Black, 1993, 225-6.
[268] *Avicenna, al-Najāt, Rahman trs*, 39-40.
[269] Black, 1993, 222-3.

under one integrated intention, or substance-like category, like honeyness.[270] It is this substantiality, or as he argues the vague individual (*shakhṣ muntashir*), that is apprehended by the estimation,[271] and following that other related sense-perceptions, like sweetness, are retrieved from the formative faculty by imagination. The reason that he thinks that the common interpretation of sensible intentions, as he attributes to Deborah Black, might not explain well the role of estimation and can make its role redundant, is because in this interpretation, after seeing the yellow fluid, estimation retrieves the sweetness from the formative, while it is not clear why this activity could not be done by imagination itself.[272] To resolve this issue, Kaukua suggests the alternative explanation that after seeing the yellow substance, estimation first judges it as honey, i.e., apprehends an underlying intention that is functionally like a substance concept and provides the principle for connecting the sensible properties, like sweetness with yellowness. Finally, imagination retrieves the sweetness from the formative. He says,

> "[i]f this interpretation is correct, then *ma'āni* should be understood as some kind of quasi- or proto-concepts that serve an important function in structuring our perceptual experience. Insofar as we perceive robust things instead of mere conglomerations of sensible features, this is because the sensible features are connected to each other by means of *ma'āni* that are not themselves sensed but are present in or conveyed by what is sensed."[273]

To my analysis, I think, even though this interpretation tries to give a more consistent analysis of Avicenna's doctrine of sensible intentions, and it seems also to fit well with the idea of immateriality of estimative intentions, as he claims in *Najāt*, however, there are some points that should be mentioned. Firstly, the function that Kaukua ascribes to estimation, i.e., uniting sensible qualities in the form of an integrated experience like honey as an estimative intention, seems to be the function of common sense. If we accept his interpretation, then what would be the role of common sense? It seems its role is rendered redundant. It seems to me that unifying different sense data under one experience should occur far earlier and it is for this reason that they can be stored as unified things in formative imagination instead of some unorganized data. So supposing estimation accountable for unifying those qualities seems to make the role of common sense redundant in Avicennian theory of internal senses. This idea might be strengthened when we see that Avicenna thinks of common sense as a faculty with judgments, like when he says, "however, the common sense and external senses they judge in some respect or by some judgment, like when it is said that this moving thing is black or this red thing is sour."[274] In other words, if any judgment is dependent on experiencing things as an organized combination of qualities

[270] Kaukua, 2014, 110-11.
[271] Kaukua, 2014, 113.
[272] Kaukua, 2014, 109.
[273] Kaukua, 2014, 109-10.
[274] *Avicenna, al-Nafs*, 218.

rather than dispersed sense data, to have judgments, common sense has already to experience them as an integrated combination of qualities. On the other hand, we might explain the common interpretation without the role of estimation becoming redundant, as Kaukua says. If in the case of the dog escaping a man with stick, it is remembering the image of beating by imagination from formative faculty, when the dog encounters a man with stick that in turn triggers the intention of pain *of* beating by estimation from memory as the stored relation between the sensed (man with stick) and the remembered (act of beating), then estimation still preserves its own role without being reduced to imagination. This also might be the case with seeing the yellow substance. In fact, the bear after seeing it might remember the act of eating the yellow substance that has already been stored in its formative faculty, and this image can retrieve the intention of sweetness *of* the yellow substance from its memory. In fact, instead of attributing the act of retrieving the taste-image of sweetness from formative to estimation, which might make its role redundant, we can think of sweetness *of* eating the yellow substance[275] as an associated estimative intention as a result of stored relation between seeing it, remembering it, and rejoicing in it.

However, what does the particularity of intentions mean? In fact, to differentiate estimative intentions from the rational ones, as he also tends to use the term intention for intelligibles too, Avicenna has specified them as the *particular* intentions. Whereas the intelligibles (*ma'qūlāt*) are general and belong to the intellect, as we will see in detail, the estimative intentions are particular. They are particular, because they always conjoin with a particular sense or imaginative form, like 'the hostility of *this wolf*' or 'sweetness of that *honey*' and so on.

Following two kinds of intentions, Avicenna thinks of two sources for generation of the estimative intentions:

1. *Divine inspirations*: divine inspirations (*'ilhām*) in the form of instincts (*gharizah*) are pre-determined in the animal soul, and the creature can find the intentions without thinking, training or experience. Contrary to the intelligibles that might exist in us sporadically, however, the instinctual intentions are always with animals and humans because they are constantly emanated (*fā'iḍa*) to the animal soul from divine mercy. The instinctual intentions exist for them incessantly so as to inform them of harms and benefits.[276] Divine inspirations are sources for the non-

[275] As it will become clear shortly, as a particular intention, it cannot be 'sweetness' by itself as an estimative intention, because sweetness by itself is a universal conception applicable to different instances. By conjunction with some specific things like, 'sweetness of this or that substance', it can become an estimative intention.

[276] *Avicenna, al-Nafs,* 240. To stick exactly to the words of the text, I have taken the terms emanation and inspirations with their religious connotations. However, according to another interpretation, they are just taken as hardwired instincts in the animal soul without the exact implications of the terms emanation and inspirations might be emphasized. However, my reason for this choice is because he explicitly says that there are some incessant relations between animal souls with those [divine] sources. If we just should take

sensible intentions, like when the lamb, without any former experience of the wolf, starts to flee it. However, one issue might arise in this case. Because in discussion about revelation (*waḥy*) and intuition (*ḥads*) as two sources of an immediate knowledge, the prerequisite for any kind of relation with the hidden world (*ghayb*) seems to be having the immaterial rational soul, and elevation from the material.[277] But both seems to be absent in species other than humans, as Avicenna sees the vegetative and animal souls as wholly material, without any immaterial aspects, so that make them predisposed to receive immaterial inspirations. Therefore, it is not clear how irrational animals that are wholly material can relate with the supernatural world to have divine inspirations from there.[278]

2. *Experience*: the estimation might find an intention through experience, like when an animal by experiencing pain or pleasure from something, preserves the relation between the form of the object and the feeling of pain or pleasure on himself, as when a dog by seeing a person with a stick associates the pain that has already experienced. In this case, without being beaten again, the dog remembers the painful feeling. Avicenna thinks of the associated pain as an intention, which has already been reserved in the animal's memory. Therefore, the experience works like a source for sensible intentions.[279] You might want to think about the modern idea of *conditioning* here, where, upon hearing footsteps, Pavlov's dogs associated the food image with them and then began to salivate.[280]

As we saw earlier, Avicenna thinks of the estimation as predominant over all the animal faculties and also has the ability to judge. However, the main

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them as indicating instincts, then why should there be this relation continuously in the form of inspirations? They just could be taken as some embedded instincts in the animal soul once from the birth without there needs to be continuous relations as inspirations. This is why it seems to me we can see here the characteristics of some kind of revelation. In any case, in my discussion of how the particular intentions might be reserved and retrieved in the retentive faculty in the following pages, I have tried to show the mechanism of restoring them according to both interpretations and the difficulties with them.

[277] *Avicenna, Dāneshnāme-ye ʿAlāʾī,* 218-19.

[278] *Avicenna, al-Nafs,* 316. For a discussion about how animal inspirations might be related to the divine providence (*'ināya*), from the perspective of Avicennian metaphysics, see: Somma, 2021, 18-23.

[279] *Avicenna, al-Nafs,* 239-40.

[280] It seems to me the modern idea of instinct is a combination of sensible and non-sensible Avicennian estimative intentions. In fact, in the modern context, the instincts had already been learnt in a very long process of trial and error by ancestors of an animal, namely, the first generations of sheep in a long process of experiencing the dangers of wolves had learnt their hostility, and this idea, or Avicennian estimative intention, through generations of sheep, has been transmitted to the offspring, not necessarily through experience, but through DNA, or through the communal unconscious of shee In fact, in the modern context, all instincts firstly had been learnt, however, the next generations might inherit them through their genes without need to learn them. Naturally, for a theist medieval thinker like Avicenna, and in the context of the ancient natural philosophy and the theory of fixity of species, instead of DNAs, genes or unconscious that in a long-term process are considered accountable for generating the instincts, the idea of god's emanation plays this role.

question is whether animals can have any judgments, to which the answer seems positive, because of the essential character of the estimation in judging. Therefore, if they have any judgment, the other question that arises is about the characteristics of animal judgments. Whether they are propositional or in some other forms? To address it, we should know about other animal abilities and in-abilities, through which we can find the contents of the animal mind and the estimative judgements for animals. Therefore, I will try to address it later.

However, now we can ask about the characteristics of the estimative judgments. Unlike the rational judgment that is "distinct and conclusive (*faṣlan*)", he considers the estimative judgment as "imaginative conjoined with particularity and with the sensible form,"[281] "which has no logical explanation, only by way of arousal (*'inbi'āth*)."[282] Avicenna's example is the person who dislikes the honey because it resembles bile to him. So to speak, the estimation judges the matter as bile and the soul also follows it, even though the intellect rejects it.[283] This judgment is imaginative, because by seeing the honey, the sensible intention of the bile or bitterness is associated with it, which is particular. It has no logical explanation because even though the person knows that it is not bile and the intellect also affirms it, however, due to its resemblance to the bile, she dislikes it and this results in imaginative stimulations in the form of aversion in this case, and appetite in other cases. Unlike the rational judgment which is universal and conclusive, this judgment is particular and not true for all human beings. This is also the case with regard to the beaten dog, because even if the dog sees a man with a stick not intending to beat him, however, the dog may still be afraid of the man and escapes from him. Although over time the dog may distinguish the danger of different people with sticks, and while it may not be afraid of its owner when he has a stick, the dog may still find strangers with sticks as a threat to itself, and a result escape from them.

One of the characteristics that Avicenna attributes to one kind of estimative judgement, i.e., '*pure estimative propositions*', is that they are erroneous. Since the perceptual range of the estimation is just limited to the sense perceptions, it goes beyond its limitation and makes judgements about the non-sensible rational statements, and results in false judgments. Avicenna's examples are varied in this case, like when the estimation makes the judgment that 'all entities are spatial, material or ostensible'. However, the intellect disagrees with these statements, because it acknowledges the non-spatial, immaterial entities. In other words, Avicenna attributes this materialistic disposition in humans to the estimation.[284] However, as we well see, if animals are devoid of the rational soul and subsequently the rational judgments, naturally they have to be devoid of the pure estimative judgments

[281] *Avicenna, al-Nafs*, 219.
[282] *Avicenna, al-Nafs*, 238.
[283] *Avicenna, al-Nafs*, 238.
[284] Black, 1993, 234.

that result from contradicting the rational judgements by the estimation.[285] Although, they might have false associations or incidental perceptions, like when the bear confuses the yellow liquid, i.e., vinegar, with honey.[286]

To find out more about the estimation, we need to investigate the memory as its storehouse.

3. *retentive or recollective faculty*: like the retentive imagination that works as a storehouse for the common sense, the *recollective* (*dhākira*) or *retentive* (*ḥāfiẓa*) faculty works as a storehouse for the particular estimative intentions.[287] Avicenna thinks of the rear ventricle of the brain as its location.[288] The reasons for distinction between the estimation and its storehouse are the same as the ones for distinction between the common sense and the retentive imagination.

Now, we should see what is exactly included in the retentive faculty of estimation. Avicenna thinks of the preserved particular intentions as the objects of the faculty. However, more analysis shows that the content of the retentive faculty requires some general images. For example, when the sheep sees a wolf, this confrontation between them causes the intention of the hostility of the wolf to be associated in her mind and then she escapes. As Avicenna says, the estimative intentions should always be conjoined with a particular form. Additionally, the distinction between intentions and sensible forms or representations is that while the latter is perceived through the external senses, the former is not like that.[289] On the other hand, the estimative intention of the wolf's hostility is instinctual, in the sense that it is not acquired by experience, i.e., all sheep when seeing wolves, subconsciously, or as he puts it, through the incessant divine inspirations, flee from them. There are some points that need to be assessed here. Firstly, escaping from wolves seems to require a general image or form of wolf that makes her escape, otherwise, it would be difficult for the sheep to distinguish the instances of the wolf, and so would escape randomly from some but not others. However, as he claims, these kinds of instinctual apprehensions exist incessantly for the animal, that is, the sheep always can distinguish wolves. Unless there might be other explanations that are at work without appealing to general image or form that will become clear shortly. A mechanism that supposes a complex structure of pre-embedded intentions (like hostility of the wolf x, y, z, . . .) for any particular instance (the wolf x, y, z, . . .) in the animal's retentive faculty, and encountering each factual instance actualizes those potential intentions from animal memory, without there being any connection among those similar experiences that requires forming a general image or form.

On the other hand, we should see in what sense of the word, a preserved intention in the animal's retentive faculty might be particular. *Hostility* by itself might not be an estimative intention; in fact, according to Avicenna, it is

[285] Black, 1993, 230.
[286] Black, 1993, 253.
[287] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī,* 193.
[288] *Avicenna, al-Najāt, Rahman trs,* 79.
[289] Black, 1993, 222.

an intelligible or a universal concept as the object of intellection that animals are devoid of. *The hostility of the wolf* seems also the same, because it is still general in the sense of having many instances. The only remaining option according to which this intention might be particular seems to be in the form of *the hostility of the wolf x, y, z*, etc., that is, *this* or *that* specific wolf. However, these are instinctual, i.e., not acquired through experience. Now, the particular intrinsic intentions in the animal either should already be present in the animal's retentive faculty, such that once the animal perceives the wolf x, the specific intention of the hostility of the wolf x will be recovered from the retentive faculty, and for wolf y, it would be the specific intention of the hostility of the wolf y, and so on. And each intention should be apprehended in an entirely isolated and detached way from the other similar intentions, because finding similarities between them would require some kind of general form or intention in them. In other words, any intention of the hostility of the wolf should be apprehended in its own way detached and isolated from the other instances of the intention. In fact, all instinctual intentions should have already been put into the animal's retentive faculty, and the sense perceptions, like perceiving this or that wolf, just actualize the respective intentions with each of them. Otherwise, whenever the sheep perceives the wolf x, the specific intention of the hostility of the wolf x, in an unclear and mysterious way, should be emanated to the sheep's estimation as a divine inspiration. With regard to the latter, as we already saw, it is not clear how the divine inspirations can be emanated to the irrational animals, according to Avicennian philosophy, if having the intellect is a prerequisite for divine emanations.

However, with regard to those intentions that are acquired through experience, or as Avicenna puts, are quasi-experimental, like the hostility of a man with stick, if they are to be called as an experience, they should be generalized by the dog's estimation to different instances so that without being beaten every time by a new sadistic person, the dog gets afraid of all people with a stick. Otherwise, the dog would not have to make an experience. In other words, having an experience seems to be dependent on some kind of *generalization* and applying the first experience to the following similar ones. Finding the similarity between different phenomena should be that general image. As the dog after the second time of encountering with a man with a stick would escape from him automatically in advance upon perceiving the general image of the pain of being beaten by a man with a stick.

Now we can go deeper into the mechanism of the estimation in apprehending the particular intentions, according to Avicenna. In his *Dāneshnāmeh*, he likens the estimation to the eyes, as the eyes are the instruments for looking around to spot the lost things, in the similar way, when an intention is forgotten, the estimation works by looking into the reserved forms in the formative imagination, and tries to retrieve those accompanied intentions with those images from the retentive faculty.[290] He

[290] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 194.

calls this mental process as *recollection* (*tadhakkur*), which is "the speculation (*'iḫtiyāl*) for retrieving what is obliterated."[291] We can think of it as an 'active or conscious' process of reminding, something that Avicenna, following Aristotle,[292] considered as specific to humans,[293] because it is dependent on the idea that *an already existing thing is now missing*, and to realize it, the creature needs to have rational power. Therefore, the recollection is a byproduct of the intellection. Even though the faculties other than the rational may have some share of recollection, they might have it just through an estimation that is adorned (*muzayyan*) with the rational faculty.[294]

In contrast to this active or conscious reminding, Avicenna thinks of remembering (*dhikr*) as a *non-conscious or unintentional* reminding, as when by perceiving x or y, the associated particular intentions with that perception might be retrieved. This is like when the sheep perceives the wolf and subsequently remembers its hostility.[295] Unlike recollection, Avicenna ascribes this faculty to animals. He says, "perhaps they can remember something obliterated, not through deliberation, rather accidentally,"[296] or, "regarding other animals, if you remind them, they would remember, otherwise, they do not have any desire for remembering and it does not come to their minds. This desire just exists for humans."[297] Therefore, an animal cannot recall the intention of the hostility of the wolf without having a sense perception of the wolf. However, humans might recollect that intention even without any sense perception, just through deliberately retrieving the image of the wolf in their formative imaginations. This deliberative process of retrieving an image from the imagination seems to be done through the imagination under the control of the intellect, or the cogitative faculty and subsequently the conjoined intention with that image is associated from the retentive faculty. Camels and donkeys are among two instances of animals with a strong memory,[298] and with regard to horses, Avicenna says that "of the characteristics of the horse is that they remember the voice of a horse that they had seen sometime."[299]

4. *compositive imagination*: The fifth animal faculty is the *compositive imagination (mutakhayyila)*. One of its functions is composing and de-composing images in the imagination or the intentions in the retentive faculty, by making fictional, non-actual images.[300] He thinks of the middle ventricle of the brain as its location. Avicenna recognizes three different functions for this faculty: *a)* when it works by itself and aimlessly jumps from this image or intention to the other one; *b)* when it is under the control of the estimative power to

[291] *Avicenna, al-Nafs*, 241.
[292] *Aristotle, The History of Animals 6; Alwishah*, 2016, 79.
[293] *Avicenna, Al-Ḥayawān*, 7.
[294] *Avicenna, al-Nafs*, 241.
[295] *Avicenna, Dāneshnāmeh-ye ʿAlā'ī*, 193.
[296] *Avicenna, Dāneshnāme-ye ʿAlā'ī*, 199-200.
[297] *Avicenna, al-Nafs*, 241.
[298] *Avicenna, Al-Ḥayawān*, 7.
[299] *Avicenna, Al-Ḥayawān*, 107.
[300] *Avicenna, Dāneshnāmeh-ye ʿAlā'ī*, 193.

imagine different courses of action beneficial for the animal: like how to reach the food, or constructing a nest, or how to attract a mate. In fact, the estimation employs this power to imagine different courses of actions, and since this is the most similar thing in animals to the human intellectual power, Avicenna thinks of the estimation as the ruling and dominant animal power. Additionally, fetching the images and intentions from the imagination and memory to the estimation is performed by the compositive imagination. For instance, in apprehending the sensible intention of sweetness by perceiving a yellow substance, it is the compositive imagination that retrieves the sensible form of sweetness from the formative imagination for the estimative power. Finnaly, *c)* when, as a human characteristic, it is under the control of the intellect, it is called by him the *cogitative power* (*mufakkira*). As far as this faculty in humans is under the control of the intellect it is the cogitative, and when it is employed by the estimation, it is the compositive imagination. Both exist in humans.[301] Because of the specific function of this faculty in human species, the biggest brain in relation to the body among other species is for humankind.[302] However, these activities from the cogitative power prepare the conditions that the intellect reaches the conclusion in an immediate and abrupt experience. In other words, the cogitative power works as composing and de-composing the rational conceptions in the form of different kinds of propositions. However, drawing the conclusion is not being performed by a human activity; for, as we will see, if the premises are arranged in a proper way and the conceptions compounded well, that prepares the conditions in such a way that the conclusion might be emanated to us from the active intellect.[303]

Therefore, from the above-mentioned functions of the compositive imagination, just the third is specific to humans, while the first two are common between humans and animals. The first function of the faculty (i.e., that it constantly goes from one image to the other and combines them in an accidental manner) comes from the nature of the faculty[304]; the second one is related to when it is under the control of the estimation, and works to maintain the interests of animals, as we saw in some detail.

Following the distinction between two different kinds of reminding and denial of an intentional cognitive act for animals, now we can raise the question of whether animals are able to form fictional images, according to Avicennian psychology, in such a way to make something like a chimera. As we saw earlier, regarding the compositive imagination, the random and unintentional compounding of the images in the formative imagination occurs in a natural and inherent way for it. If a chimera results from such a random activity by the imagination, like when the animal is asleep, we can conclude that they should be able to have the capacity. And Avicenna himself says as much; for he thinks of other animals to be able to dream, as when he

[301] McGinnis, 2010, 115-16.
[302] *Avicenna, Al-Ḥayawān,* 23, 226.
[303] Black, 2013, 64-5, 72, 76-9.
[304] *Avicenna, Dāneshnāme-ye ʿAlāʾī,* 83, 193.

says, "and sometimes the non-human [animals] dream too, as for quadruped, out of their gestures, movements and their voices amid sleeping, this appears to be the case."[305] For Avicenna, dreaming occurs once the compositive imagination gets released from the external senses, estimation and the intellect in humans. In this time, it becomes strong and employs the formative imagination and jumps from this image to that one and compounds them together. Subsequently, these images go into the common sense and are seen as if they have come from the extramental world. In fact, the dreams, finally, imprint on the common sense.[306] He adds, "the nature of the compositive imagination is depiction (*hekāyat*) and it does not get calm; sometimes it depicts the temperament of the body; [. . .] some other times the past thoughts."[307]

However, if such a fictional image comes out of an intentional or deliberative action from the imagination, i.e., when by retrieving our cognitive contents we recover the contents of our imagination, and mixing some with some others in a deliberative process, this seems to require a sort of capability that, like active reminding and the recollection, needs the existence of the intellect, which the irrational animals are devoid of. In other words, if animals cannot have recollection because it is dependent on a logical idea that *an already existing thing is now missing,* therefore, compounding the imaginative forms to compose a fictional image should *a fortiori* be dependent on far more complex reasoning, like *something is non-existent and needs to be invented*, i.e., creating a new image. Therefore, animals appear not to participate in this capability.[308]

2.3.2.2 Animal's motive faculties

Following perceptual faculties in animals, there are motive powers that account for movement and triggering animals to different actions. In a general classification, Avicenna thinks of agents in three main categories:

1. *Agents by nature*: an agent whose action comes out of its nature, and is just able to do a single action, without the ability for leaving the act, like burning for the fire. The fire just burns; it is notable to not to burn.[309]
2. *Volitional agents*: when an agent is able to do or not to do the action and varied actions are issued from it. Avicenna's example is the human ability for seeing or not-seeing an object.[310] This agent might be subdivided into two parts: 1) *rational volitional agents*: when the will originated from the intellect or intellectual idea;[311] 2) *bodily-sensible volitional agents*: when the will originated from a sensible idea. It is is called the *appetitive* insofar as it triggers towards

[305] *Avicenna, Al-Ḥayawān,* 64.
[306] *Avicenna, al-Nafs*, 226.
[307] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 216.
[308] Black, 1993, 227-8.
[309] *Avicenna, Dāneshnāme-ye ʿAlāʾī*, 131, 359, 364.
[310] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 365.
[311] *Avicenna, Dāneshnāme-ye ʿAlāʾī*, 433-4; *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 257.

the bodily pleasant, and is called the *irascible* insofar as it motivates towards deterring or escaping the bodily unpleasant.[312]

3. *Incidental agents*: an agent whose actions come out of neither its nature nor its will, but rather incidentally, like when water burns due to the warmth in it as an incidental property.[313]

According to this classification, animals might not be the intellectual volitional agents, because for him, they are free from the intellect; on the other hand, as we see shortly, he attributes the appetitive and irascible faculties to animals. Therefore, animals seem to belong to the bodily-sensible volitional agents. Let us see different levels of a volitional action to find out in what sense of the word, animals might be seen as volitional agents in Avicennian philosophy.

The *first* step is perception. Without perception, there could not be any volitional movement. It might be through sensation, imagination, estimation or intellection, like when a sheep sees a wolf. Following the perception in we humans, *secondly*, there should be a *belief* in beneficiality or harmfulness of that perceptual form.[314] As we will see later, Avicenna denies belief for animals, instead they might have some kind of estimative opinion out of an estimative intention. Following the belief out of perception, the *third* step can be *desire* or *aversion*, where the desire motivates toward the pleasant, and the aversion deters the unpleasant, like when the sheep after seeing the wolf, apprehends its hostility and then escapes as a result of fearfulness. Following the desire or aversion, as the *fourth* step, there might be *resolution* or *decision* from the agent, whether going toward the pleasant or escaping from the unpleasant. As long as a decision does not exist, there might not be any movement, even though there exists a desire or aversion. For example, even though the sheep could see the fodder and rejoice in it, however, hearing the wolf's growling might make her fearful and not decisive for going to it.[315] Following the elimination of the wolf's danger, if the sheep dares to go for the fodder, as the final phase, enough power might be generated in her muscles for making the activity.[316]

As the analysis shows, animals should be volitional in the broad sense of the word. However, Avicenna means a narrower sense for being willful (*murid*). In the *Metaphysics*, and *Dāneshnameh* as well, he thinks of those actions that come from the agent's recognition, perception or knowledge as volitional acts that the agent is aware and of its agency for issuing them. Since such action seems to require a contemplative character, i.e., the agent finds its agency as the object of its reflection, and since he attributes this reflective activity just to the intellect, this kind of willfulness is only appropriate for the intellectual volitional agents. Animals do not participate in it.[317] In other words, while animals as percipients are aware of the actions that they perform and within that perception *of*

[312] *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 257.
[313] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 359.
[314] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 393; Ruffus, A. & McGinnis, J., 2015, 197.
[315] *Avicenna, al-Nafs*, 251-3.
[316] *Avicenna, al-Nafs*, 251; *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 393; *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 256.
[317] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī,* 393; Ruffus, A. & McGinnis, J., 2015, 172.

something they have some kind of self-awareness too (as we'll investigate in detail shortly), this awareness, however, falls short of being reflective in the sense of awareness of their agency.

Therefore, given Avicenna's definition of animals as with volitional movements (*ḥaraka bi-l 'irāda*), and his analysis of the procedure of a volitional act, they are volitional agents. However, as bodily-sensible volitional agents, animals are willful in the sense of being able to do or not to do an act. But this capability in them, unlike in the case of humans who will on the basis of thought, results from sensible-bodily stimuli that already exist in their natures as instincts or divine inspirations. Animals in this sense, unlike humans, lack any knowledge of their agency for being able to do or not to do an act. This is why within a discussion about remembering and recollection, and the denial of the latter for animals, he traces the animal actions back to their nature and sees the same behaviors from them as a sign of it, whereas the reason for varied actions from humans is intellection and attempting to discover the unknown through the known. The latter is something that animals are devoid of.[318]

On the other hand, in a different classification, in *Pointers and Reminders*, and during a discussion about the movements of the celestial bodies, he speaks about two different kinds of will: *general* and *particular* will. The general will is like when I am going to eat something, without having intended a specific food; in contrast, the particular will is when I am going to eat a particular thing, like an apple pie. He maintains, while the object of the former is general and a rational idea, the object for the latter is a particular idea, and they result from different faculties. Therefore, a general thing does not come out of a particular thing, unless it is already specified with a particular thing. Along with the discussion, Avicenna takes the animal will for food into consideration as a particular will, dependent on particular imaginative ideas, rather than general ones. For him, it is not like the animal, by means of a general idea of food, goes to seek, as might be the case in humans. Rather, what triggers them to seek food is a particular image of something, like a bone for the dog. However, if the dog fails to find a bone, whatever else edible it happens to find, it might rejoice in it.[319] However, it seems to me that the dog should be able to distinguish at least between the edible and non-edible, i.e., could have a general idea or image of those edible things. Otherwise, why does not the dog eat wood or rocks instead?

However, this image of Avicennian theory of action should be seen in a grand image of his determinism that results from his physics and metaphysics. As he says in the metaphysics of the *Shifā*,

> "The volitions that belong to us come to be after not having been, and whatever comes to be after not having been has a cause. Thus our volition has a cause and the cause of that volition will not be an infinite series of volitions, but things that happen externally, whether earthly or heavenly, with the earthly terminating in the heavenly."[320]

[318] *Avicenna, Dāneshnāmeh-ye ʿAlā'ī,* 200.
[319] *Avicenna, Al-Ishārāt wa-l-Tanbīhāt,* 258.
[320] Quoting from: Ruffus, A. & McGinnis, J., 2015, 185.

In fact, as we saw earlier, in illustrating the levels of a volitional act, the purpose (*gharaḍ*) or the end (*ghāya*) of an action, i.e., the perception as the first step, is the cause of all volitional movements. Therefore, as far as an action comes out of a purpose, it is determined by it and is caused. So to speak, the perceived goals reflect the desires and aversions of a creature and are causally determined by them. The desires and aversions that either come from the nature of that creature or are learned.

On the other hand, for Avicenna, God, as the necessary being, has a fore-knowledge of the universe and all its causes and effects in his eternal knowledge. That is, unlike us, who know the things by means of perceiving their extramental existence, the necessary being's knowledge of the whole universe is through his knowledge of his essence (*dhāt*). As he says:

> "We think that wisdom (*ḥekmat*)[321] has two meanings: firstly, an entire knowledge (*dānesh-e tamām*), which means knowing something through its conception (*taṣawwur*) which is to know a thing through its essence (*māhīyat*); and by definition (*ḥadd*) and in an assent (*taṣdiq*) it [i.e., entire knowledge] would be a certitude assent with all of their required causes; the other, a decided (*muḥkam*) action, and decided here means whatever that is required for the existence [of things], they should be, and whatever that is required for their preserving (*negāhdāsht*), as might be in its matter (*māyeh*), they should be, and whatever that adorns it and in its favor [i.e., accidental], they should be. And the necessary existent knows all things as they are, and with all of their causes, because [he] knows things not through things, but rather through himself because they all come from him, and their causes come from him. Therefore, he is wise in this sense and his wisdom is [his] knowledge."[322]

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[321] The transliterations here are from the Persian pronunciation, as they come from *Dāneshnāme-ye ʿAlāʾī.*

[322] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī,* 398; see also, Ruffus, A. & McGinnis, J., 2015, 176. Avicenna distinguishes between two different kinds of knowledge; "knowing particular changing things temporally and knowing particular changing things universally, and the necessary existent knows all things universally in such a way that any small and big things are not missing of his knowledge" [*Dāneshnāme,* Avicenna, 392]. But to understand what 'universally' means here, we should pay attention to two points. Firstly, he says, the necessary existent, as the giver of existence to anything, "knows all things through his own essence not that things are causes for him to know them, but rather his knowledge is the cause of existents, just as the carpenter's knowledge of the house form is the cause for the external form of house, not vice versa. Whereas, the [external] form of sky is the cause for our knowledge of the sky's existence. [Therefore], the relation of all things to the One's knowledge is analogous to the things that they come out of our thoughts [or knowledge] that their external form comes from [our] that [mental] form" [*Dāneshnāme,* Avicenna, 386]. Accordingly, it is existents that are in accordance with the god's knowledge, not vice versa, or one can say, the god's knowledge is the cause for all existents, not the other way around. Secondly, he refuses the temporal god's knowledge to changing things, as he raises the question of "finding out how the necessary existent should know changing things in such a way that he is not changed?" as the title of a section in metaphysics of *Dāneshnāme*. He responds to it, "in a universal way, not particularly" [*Dāneshnāme,* Avicenna, 391]. In fact, god knows particular changing things universally not temporally that makes him changeable in such a way that his prior knowledge of x is not true to his posterior knowledge of x, and this entails variation in truth value and falsity [*Dāneshnāme,* Avicenna, 391]. Avicenna's example in this case is when astrologer knows the celestial bodies movements, including their conjunctions with other bodies and eclipses in a universal way; and when they know them in a particular way, while the former is not subject to change, the latter is. In other words, the astrologer might have two different kinds of knowledge about celestial bodies and eclipse. Here, I think, he distinguishes between a sensible

While this deterministic point of view from Avicenna is prone to different puzzles and issues for free will and moral action, a topic that I am not going to investigate in detail here, we can however say, in general words, that when humans become active rational agents, i.e., their actions come out of the soul's essential good, which is *being rational,*[323] and not out of an external purpose, they might be called as rational volitional agents without any external purposes. And being rational is following an action out of its intrinsic value. In other words, having purposes for an action other than rationality makes it an imperfection for the agent, because the agent would perform the action *for the sake of* that purpose to acquire the good or perfection that it is devoid of. This makes the action dependent on and caused by something other than the agent's will.[324] So to

knowledge of them through observing the stars and changing their mental images temporally as their status changes in the sky gradually, and a pre-knowledge of the locations and movements of celestial bodies through exact calculations by the astrologer. In the latter, for a professional astrologer with accurate calculations, the actual movements of stars do not change any image or form in the astrologer's mind. It is like those external movements are in accordance with their calculations. It seems to me that the god's knowledge might be seen in the same way. In other words, god looks like a movie director, that the movie is the realization of his scenario, and no part of the actual movie changes his scenario or knowledge of the movie, because it is the scenario as the cause of the movie not vice versa. In the similar way, as Avicenna mentions it by the example of carpenter's knowledge of house form, god might know the *universal scenario of the world* eternally, even the smallest things without his fore-knowledge is changed as the extramental things are changed temporally in a gradual way. Indeed, the external world reflects the god's knowledge, not the other way around. In this way, god doesn't need to be corporeal by having sense-organs to perceive the changeable particulars. I think my interpretation of Avicenna is in the same line with *Jalāl al-Din al-Dawāni*'s, according to him "God's knowledge of the particular is conceptual, while ours is sensory. Then the difference lies in the manner of apprehension, not in the things apprehended" [Marmura, 1962, 300]. If God knows the final consequence of anything, then knowing the changeable process that leads to that end might not change his final conception too, because he is like the writer of this big comprehensive scenario and he knows the end of the process.
Here, I can not deal with all aspects of Avicenna's theory of god's knowledge, as others have tried to investigate different aspects of his theory in his other works. My interpretation is mostly based on Avicenna's discussions in the metaphysical sections of *Dāneshnāme* that usually, like all of his other Persian works, has been neglected by western scholars. However, this preliminary sketch of my interpretation stands in some senses against Marmura's and Adamson's readings, according to both, Avicennian God might not know changeable particulars, because it requires sensory organs and corporeality and also change in god as the knower [Marmura, 1962, 304; Adamson, 2005, 268-9]. But I've tried to show how without requiring changeability and corporeality in God as creator of all things, including the material and changeable things, Avicennian God might be omniscient. If it is said that my interpretation violates the principle of simplicity of the necessary existent, I should say that even if God just knows the universal concepts of everything, as Marmura and Adamson propose, this also entails that God has an infinite multiplicity of universal ideas in his knowledge, like the universal idea of human being, dog, horse, tree and so on, without having any knowledge of individuals. However, my interpretation at least also covers the particular existents in the god's knowledge. On the other hand, I don't think that I have become convinced of Adamson's analysis that Avicennian god, for example, doesn't know that "Zayd is pale" as a particular thing [Adamson, 2005, 274-5], and at the same time, just by knowing that "Zayd is a human being" has a particular knowledge of Zayd. This just seems to me a universal knowledge without having any particular knowledge of things and against God as omniscient. But I think, in God's universal pre-knowledge of everything as the cause of existents, even he knows that "Zayd is pale" without entailing any change in him, because Zayd's pality is caused by God's eternal pre-knowledge.
[323] Ruffus, A. & McGinnis, J., 2015, 188.
[324] Ruffus, A. & McGinnis, J., 2015, 178; *Avicenna, Dāneshnāme-ye ʿAlāʾī,* 434-35.

speak, humans by following their true essence that is an immaterial substance, i.e., the intellect, are free like the divine being, who is rational volitional agent whose acts are not out of any external purposes, but rather creation results from his knowledge of his essence. In this way, human beings might become a god-like entity.[325] The more the human becomes rational and subsequently immaterial, he would be freer from the matter and its concomitants for action. Such a person, as we see in our discussion on Avicennian moral philosophy shortly, is a virtuous person whose actions come out of his true nature, that is rationality, and their intrinsic value, not out of exterior purposes, whether worldly or heavenly. According to this view, the number of people with free will in the real sense of the word would be just limited to a few people, including prophets, sages or mystics.[326] In this context, the majority of humans and all animals are not willful in the real sense of the word, though they might be called so in a loose sense. In chapter three, when we go through Ṣadrian metaphysics, we will see how this idea of the scarcity of rational virtuous humans will be emphasized by Ṣadrā in different ways, which can have its own consequences throughout his philosophy, especially regarding the status of animals.

However, on the other hand, the point that weakens the ideal of virtuous man as a free person is related to pursuing the ideal of 'the mean' (*tawassuṭ*), according to which "the mean in actions is determined according to the [person's] time, place, from what the action comes, for what the action goes, and within what it goes on."[327] That is, the mean as the virtue is predetermined by many factors for humans. Even the virtuous person, in the final analysis, should take into consideration different factors in decision making. Therefore, it seems that, ultimately, it is just god that might truly be an active rational agent, not we humans. For our actions are always influenced and determined by some external factors that are out of our control, because we do not make our decisions in a vacuum. Therefore, in the end, when humans are also caused, there might not be a huge difference between humans and animals in terms of being without free will. All animals, including humans or non-humans, are then determined.

In the beginning of our discussion of the motive faculties in animals, we found that, for Avicenna, following appetite and aversion in animals as perceptive subjects, they are sentient creatures capable to feel pain and pleasure in the form of aversion and repugnance or desires and appetites, because the desire heads for the pleasant and the repugnance is to escape from the unpleasant. In his discussion on pain and pleasure, Avicenna thinks of perception as the basis for these feelings, for he states that "without perception, there would not exist pain and pleasure."[328] Following upon any kind of perception, external or internal, he thinks there are a variety of pain and pleasures, including sensible, estimative and rational in a hierarchical way, with the sensible as the lowest and the rational as the highest in the scale. While the first two belong to animals, the rational one is human specific. Because of the

[325] Ruffus, A. & McGinnis, J., 2015, 188-9.
[326] Ruffus, A. & McGinnis, J., 2015, 188-9.
[327] *Avicenna, al-Birr wa-l-'Ithm,* 354.
[328] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī,* 400.

importance of pain and pleasure for our discussion of the moral status of animals, I have to investigate it in a separate heading.

2.3.2.3 Pain and pleasure

As we already saw, Avicenna thinks of pain and pleasure in a hierarchical way, which corresponds with his view of the levels of perception and the extent of their immateriality or abstraction from matter. So on his account, the rational pleasures turn out to occupy the highest part of the pyramid of pleasure as the immaterial ones, the estimative ones are in the middle because of still having material concomitants, and the sensible ones are the lowest due to being entirely material and dependent on the presence of the material object. Before we go through the discussion, first of all let's see how Avicenna defines pain and pleasure. He defines pleasure as, "perceiving and acquiring the thing that is seen as perfection and good for the percipient," and pain as, "perceiving and acquiring the thing that is seen as evil and harmful for the percipient."[329] To realize pleasure, he enumerates two conditions: a) acquisition of the good and perfection, and b) awareness of condition *a*. This is why health as a perfection might not be pleasurable as far as the person is not aware of his health. It may be that a disease or illness alerts the person about how health can be critical and subsequently after getting healed the pleasure arises from this awareness. Otherwise, he might be well but not aware of it and so there's no pleasure in this case for him.[330]

After defining pain and pleasure, Avicenna speaks about different grades of pain and pleasure. In fact, if pleasure is the acquisition of perfection, therefore, we can talk about varieties of pleasures. This is why, depending on different faculties, we can talk about different perfections, sensible or *outermost* pleasures and their so-called perfections of the appetitive and irascible faculties. As the perfection of the appetitive faculty is to perceive the appetitive pleasures that are good for the bodily organs; and the perfection of the irascible faculty is to take pleasure in overcoming others and what else may cause pain. Following the irascible faculty, Avicenna attributes three affections to animals: a) *fear (khawf)*, a mental state as a result of inability of the irascible power to overcome the harmful idea, whether imaginative or intellectual. Like when the sheep becomes fearful after seeing the wolf by apprehending the hostility of the wolf; b) *depression* and *sorrow (gham)*, a mental state that results from a certainty in inability to eliminate the causes of anger or repugnance, like when the wolf seizes the lamb and the attempts from the mother sheep to release her baby are useless, and the sheep frustratingly watches her baby being eaten by wolves; c) *joy (faraḥ)*, a state results from not getting afraid of harmful ideas in animal, and when the animal finds that it can overcome them. We can think about once the sheep and her lamb escapes from the wolf and then gets excited and joyful, or vice versa, when the sheep resists against the wolf and makes the wolf escape. It is joyfulness that

[329] *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 343.
[330] *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 343-4.

Avicenna takes into consideration as the end of the irascible power that might be acquired through triumphing over the disagreeable.[331]

On the other hand, there are *innermost* pleasures and their so-called perfections, like the perfection of the estimation that is the acquisition of a desired disposition (*hay'a*) or remembered thing. Finally, the perfection of the rational faculty is to contemplate the divine being as much as possible, and after that the other levels of intellects and the celestial heavenly substances.[332]

Avicenna thinks of the innermost pleasures as the best kind of pleasures that animals also might participate in. In humans, he mentions giving the priority to the estimative pleasure of winning in chess and backgammon versus the appetitive pleasures of eating or having sex as an instance. In animals, the examples he gives of estimative pleasures are things like hunting dogs who do not eat the prey even though they may be starving and save it for their master, or when animals prefer protecting their offspring over themselves. Subsequently, he adds that, "when the innermost pleasures are greater than the outermost ones, even if they are not the rational pleasures, then what would you think of the intellectual ones?"[333]

Regarding the reason for the superiority of the intellectual pleasures, Avicenna says that they are profound in the real sense, because they result from the intellect that penetrates into the essences of phenomena. Therefore, these pleasures should be more stable and infinite from person to person. In contrast, the sensible pleasures just belong to the appearances of phenomena and therefore, they are limited, mutable and finite.[334] Subsequently, the intellectual pleasures are just limited to humans as the rational entities and animals might not participate in them. However, for Avicenna, animals are sentient creatures capable of feeling pain and pleasure. It is in this context that he thinks of a moral treatment of animals out of compassion from us humans (a topic that will be treated in the section eight of this study). In fact, in Avicennian moral philosophy, we can see some kind of sentientist, painist approach to animals,[335] if I'm allowed to use this modern term of ethical theory, according to which animals as sentient creatures capable of feeling pain are entitled as moral objects.

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[331] *Avicenna, al-Nafs*, 253.
[332] *Avicenna, Dāneshnāme-ye ʿAlāʾī*, 345-46.
[333] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 342.
[334] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 346.
[335] Painism and sentientism are terms, like speciesism, coined by Richard Ryder. He says in this case that, "Painism is a term I coined in 1990 to describe the theory that moral value is based upon the individual's experience of pain and that pain itself is the only evil" [Ryder, 2003, 26.], or regarding sentientism, he says that, "Let us proclaim this creed of sentientism: anything, human or nonhuman, terrestrial or extraterrestrial, natural or man-made, that can suffer should be included within the circle of our compassion and morality" [Ryder, 1991, 1]. It seems to me that the Avicennian moral philosophy might be sentientist or somehow painistic, because it is being sentient that entitles a creature as a moral object, however, the pain should not be the only evil in his virtue-based approach, as there might be different kinds of vices that might not be reduced to pain and are evil intrinsically.

2.4 Animal in-capabilities

Up until this point, we have a general idea of how an Avicennian animal looks like. However, there are a bunch of capabilities that he refuses to ascribe to animals, mainly because he finds them related to having the intellect. In fact, he treats them like human-specific phenomena.

2.4.1 The rational soul

For Avicenna, having the rational soul is the differentia of human species, even though humankind has all the animal faculties. He defines the rational soul as, "the first perfection of a natural organic body in terms of what is attributed to it to perform the acts that come out of the cogitative choice (*al-'ikhtiyār al-fikrī*), deliberative inference (*al-'iṣtinbāṭ bi-l ra'y*), and in terms of apprehending the universal matters (*al-'umūr al-kulliyah*)."[336] In fact, apprehending the universal is the main characteristic of the human soul, as he defines rationality as "to abstract intelligible forms from the matter."[337] On the other hand, Avicenna thinks of thinking or intellection as disposing the known things to discover the unknown by means of imagination, like knowing the *human* as the unknown through two already known concepts, i.e., *rational* and *animal.* [338] In contrast with the imagination, whose object is the particular imaginative form, and the estimation, whose object is the insensible particular intentions, the intellection belongs to the essence of things devoid of matter and material concomitants. This cognition cannot be performed by means of imagination or estimation, because in that case it would have to be conjoined with a particular form along with the material concomitants. Therefore, cognizing the essence of phenomena should be performed through something other than the animal faculties, whether internal or external, and this faculty for cognizing universal concepts without their material concomitants is the intellect ('*aql*).[339]

Unlike other animal faculties that have a specific location in the brain, there is no corresponding bodily organ for the intellect and the rational soul is entirely immaterial.[340] Avicenna provides a bunch of arguments to show how absurd it is were intellectual concepts to be imprinted on the material bodily organs. One of them is related to the *simplicity* and *indivisibility* of the intelligible forms e.g., intelligibles like the concept of *being*, which is simple in that it indivisible into more basic concepts. Even regarding those conceptions that are a compound of genus (*jins*) and differentia (*faṣl*), like 'rational animal' for human, according to Avicenna, as far as these two different notions do not come together as a unified conception, the conception of human would not be realized, because neither

[336] *Avicenna, al-Nafs*, 53; *Avicenna, al-Najāt, Rahman trs*, 25.
[337] *Avicenna, al-Nafs*, 305.
[338] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 12; *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 243.
[339] *Avicenna, Dāneshnāme-ye ʿAlāʾī*, 197-200.
[340] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 204.

animal nor rational are human by themselves. This unity is indivisible.[341] Additionally, the infinite divisibility of matter is not parallel to the finite divisibility of intelligibles with genus and differentia, because while the former is potentially infinite, the latter is actually finite.[342] Subsequently, the simple indivisible intelligibles that are abstract cannot be imprinted on a bodily organ that can be infinitely divisible, because in this case, the intelligible form would have to be divisible into infinite parts, and this is opposed to the simplicity of intelligible forms. Therefore, with regards to simple intelligibles like *being*, *unity*, etc., which are free from any subdivision, their substratum must be immaterial.[343]

The main question can be why Avicenna thinks of animals without intelligibles, i.e., apprehending universal matters, and intellection? On the one hand, he thinks of varieties of capabilities the having of which requires an intellect, and since animals lack them, at least in the way that humans can have, then they might not be rational. Although, as it will become clear soon, the absence of such capabilities and intellection in animals, for him, is dependent on a more fundamental reason that comes from the Aristotelian-Avicennian metaphysics.

Before we investigate these in-abilities of animals, let's first have a general look at the distinction that Avicenna, following Aristotle, makes between two spheres of the intellect, i.e., theoretical and practical reason.

Following the distinction between the perceptual and motive faculties of the soul, Avicenna thinks of the perceptual faculties of the rational soul as divided into theoretical and practical perceptions. Like the distinction between two spheres of the soul in neo-platonic tradition, that one sphere heads to the upper world and the other to the lower mundane world, Avicenna considers the human soul in this context, as the theoretical intellect heads upward, and the practical one downwards.[344] The theoretical reason in a passive way just receives from the active intellect and contemplates the universal content it receives, the sky, the earth, plant, animal or propositions like *God is one*, or in general word, the universal conceptions about '*is*', or as Avicenna puts it, the things "whose existence is not up to our choices and acts."[345] However, the practical reason, intellect or wisdom is related to the material world, and in other words, it is that side of the intellect that deals with how to manage our lives and having deliberation with regard to the '*ought*'s, or as Avicenna puts, it deals with those matters "whose existence is up to our choices and acts," like *lying is ugly* or *justice is good*, and so on.[346] While the former sphere has nothing to do with acts, the latter causes the acts.[347] Avicenna thinks of the usage of the word intellect for these two spheres as equivocal. It seems that both are called the intellect since they perceive the universals, as with regard to the practical intellect, he considers

[341] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 204; *Avicenna, al-Najāt, Rahman trs*, 50; *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 249.
[342] *Avicenna, al-Nafs*, 273.
[343] *Avicenna, Dāneshnāme-ye ʿAlāʾī*, 111-18,152-56, 205.
[344] Qavam Safari, 2020, 342.
[345] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 309.
[346] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 309.
[347] *Avicenna, al-Najāt, Rahman trs*, 32; *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 196.

it with two kinds of perception, one as universal, like 'beating is bad', the other as particular, like 'beating this man is bad'. While the former is related to the practical intellect itself, however, the latter is related to the motive faculty. In other words, when we consider the practical intellect by itself, it works as perceiving and forming the general moral rules aided by the theoretical intellect. However, when we take it into consideration in relation to the particular things, it works as issuing the particular moral acts according to the general moral rules.[348]

2.4.2 Social life and morality

According to Avicenna, unlike other animal species that are confined to themselves and to other entities in nature that exist for them, humans need others. Living alone for humans would be difficult or fatal,[349] so living becomes possible for them through cooperative actions.[350] Though there seems a communal life for other species, especially birds and bees, etc., however, it comes from their compulsive instinctual inspirations (*taskhir*), whereas humans through inference (*'istinbāṭ*) and syllogistic reasoning (*qiyās*) have chosen the social life.[351] Following social life, there seems to be a need for some rules of action to know how they should interact with each other. It is in this context that morality as a human specific phenomenon works to distinguish between beautiful (*jamil*) and ugly (*qabiḥ*) or good and evil appears.[352]

As we saw earlier, Avicenna treats morality in the sphere of practical reason or wisdom that deals with the quality of treatment with oneself and others. He says,

> "the practical sciences (*al-'ulūm al-'amaliya*) are in three sorts. With the first one, humans know how their acts and moral temperaments (*akhlāqa-hū*) should be in order to reach happiness (*sa'ida*) in this life and after death [. . .]; the second one is when they know how to treat their households (*tadbira-hū li-manzila-hū*), like wife, children and servants, in order to be harmonious and be able to reach happiness [. . .]. The third one is that through which humans know different sorts of politics (*siyāsat*), leaderships and virtuous and vicious civil communities and the way of the prosperity for each one of them and the reason for their decline […]."[353]

While the first branch deals with *self-managing*, managing-others, or how to treat others are related to two other branches. Therefore, following social life as a privilege for humankind in the real sense of the word, the morality that results from deliberations of the practical intellect with regard to oneself and others is exclusively limited to humans. In fact, for the members of a society to reach the greater common good (*al-maṣliḥa*), they must overlook their own personal

[348] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 196; *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 241-2.
[349] *Avicenna, al-Nafs*, 261-2.
[350] *Avicenna, Al-Ḥayawān*, 5.
[351] *Avicenna, al-Nafs*, 263.
[352] *Avicenna, al-Nafs*, 49.
[353] *Avicenna, Tes'a Rasāil Fīl Ḥikma wa Ṭabīʿiyāt*, 107-8; *Avicenna, Dāneshnāme-ye ʿAlāʾī*, 310-11.

interests by following a set of rules. Those actions that are correspondent to the common good are seen as beautiful, and those that violate them as ugly.[354]

Regarding discussion of the varieties of syllogistic premises, Avicenna thinks of moral premises as *widely-accepted opinions* (*mashhūrat*). He says, those "are premises that the lay people and alike think of them as intrinsic for the intellect congenitally, however it is not like that. But rather since from childhood they hear them regularly and all cities or most of them have agreed on them [they appear to them as natural for the intellect]."[355] In general, Avicenna in his different works enumerates four factors in the formation of widely-accepted premises: 1) humans' *temperaments*, rather than pure rationality, that might result from affections like shame, compassion and so on; 2) *induction,* due to the multiplicity of particular cases that might be some kind of generalization that makes us think of them as natural things; 3) *education*; 4) or some subtle *conditions* that are the main reason of those judgments, however, since the conditions are so subtle, the people might not be aware of them and observe without knowing their conditions.[356] Therefore, these propositions have not come out of the essence of the intellect and they are not innate or intrinsic, so that "were people to imagine that they have been created all at once in this world [just] with the intellectual power, and they attempt to cast doubt on them, they could do."[357] Avicenna adds that, even though these propositions have not been reached by the pure intellect, if however the true ones get rationalized, they might become among the certain propositions.[358]

Now we need to have a deeper look at these claims from Avicenna to have a more comprehensive idea of his moral philosophy and to see how they might be consistent systematically. We have found that, for him, the moral precepts are widely-accepted propositions that, 1) do not come out of the pure intellect, estimation or sensation, but rather might be a result of one of the above-mentioned factors; 2) though they are widely-accepted, however, they might be demonstrated and could be right or wrong; 3) as the objects of practical reason, they are ugly or beautiful. We need to analyze all of these claims to see if they might be coherent.

According to Avicenna, argument (*ḥujjat*) is disposing the known assents (*taṣdiq*) to reach the unknown one. And the arguments might be in three different forms: syllogism (*qiyās*), induction (*'istiqra*) and analogy (*tamthil*), with dialectic being classifiable under the latter. For him, the trustworthy form is syllogistic and the demonstrative one (*burhāni*). He defines the syllogism as, "the speech in which there are other speeches [premises] that when they are accepted, necessarily entails the other speech [conclusion]."[359] Therefore, the more the premises (as the *matter* of argument) are true, the truer with more certainty

[354] *Avicenna, al-Nafs,* 264.
[355] *Avicenna, Dāneshnāmeh-ye ʿAlā'ī*, 88.
[356] *Avicenna, Dāneshnāmeh-ye ʿAlā'ī*, 88; *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 127; Najāt, Avicenna, 119.
[357] *Avicenna, Dāneshnāmeh-ye ʿAlā'ī*, 89; *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 127.
[358] *Avicenna, Dāneshnāmeh-ye ʿAlā'ī*, 30.
[359] *Avicenna, Dāneshnāme-ye ʿAlā'ī*, 46-7.

syllogism we have, and if they are presumptive (*gumān*/*ẓann*) and non-certain, the conclusion would be presumptive or non-true.[360]

In a general classification, he talks of thirteen kinds of premises that can form different kinds of syllogistic arguments. What is of importance to us is to which category the moral precepts belong and, if they can form an argument, how it might look. According to him, the best and the most trustworthy argument is demonstrative syllogism. Such syllogism are composed of primary premises (*awwaliyāt*), the sensibles (*maḥsūsat*), the experientials (*mujarrabāt*), widely-transmitted propositions (*mutiwāterāt*), and propositions containing syllogisms (*fiṭriyāt*). The "advantage of demonstration is certainty and finding the truth."[361] In contrast, there is the dialectical syllogism (*jadal*) that is composed of widely-accepted premises and admitted ones (*musallamāt*) that result in quasi-certitude and presumptive conclusions. While the demonstration is related to certitude and truth, however, the dialectic is not related to truth, as Avicenna says, since poetics, rhetoric, and dialectic, go beyond the two main objectives of logic, i.e., reaching the truth and avoiding the false. This is why I should avoid talking about them here,[362] or somewhere else he says, "but *how we can know the dialectical principle*, and acquiring the art, is not our occupation in this book that our objective is the truth,"[363] or when he talks about the dialectic and its shortages,[364] he says, "this is why it became clear that this way [i.e., the dialectical argument] is not certain, however it is good in dialectic that the lay people can not find its faults and grant it."[365] In *Najāt,* after talking about certitudes (*yaqiniyāt*) (i.e. primary propositions, the experientials, the sensibles) as the true ones for reaching the certainty in demonstration, he excludes widely-accepted propositions, the admitted ones and the presumed (*maẓnūnāt*) for the demonstrative syllogism.[366] In *Shifā*, regarding dialectic, he thinks of the temporality of the world as something non-demonstrative and dialectical, as he says, "the dialectical conclusion is uncertain or dubious, whether due to resisting the arguments and their equivalency (*yukāfihā*), or due to the lack of arguments for both sides, or being far from reputation like whether the world is eternal or not."[367] On the other hand, while the objective of demonstration is *finding the truth*, or distinction between *true and false* through certain premises that *necessarily* results in a certain conclusion, however, the objective of dialectic is not finding the truth by assessing the conclusion as *correspondent* with the reality, but rather convincing your interlocutor that the claim might not be coherent or non-contradictory. This is why Avicenna thinks of the purpose of dialectic as "convincing"[368] (*'ilzām*) i.e., the opponent. Unlike demonstration, the premises for dialectic are uncertain, unconvincing and unnecessary. As Khājeh Naṣīr, one

[360] *Avicenna, Dāneshnāmeh-ye ʿAlā'ī*, 79.
[361] *Avicenna, Dāneshnāmeh-ye ʿAlā'ī*, 93.
[362] *Avicenna, al-Najāt*, 184.
[363] *Avicenna, Dāneshnāme-ye ʿAlā'ī*, 94-5.
[364] *Avicenna, Dāneshnāme-ye ʿAlā'ī*, 72-8.
[365] *Avicenna, Dāneshnāmeh-ye ʿAlā'ī*, 78.
[366] *Avicenna, al-Najāt*, 126.
[367] *Avicenna, al-Jadal*, 76, 83.
[368] *Avicenna, al-Jadal*, 24; *Avicenna, al-Khiṭābah*, 6-7.

of the most important commentators of Avicenna, says about the uncertainty of dialectical conclusions,

> "because the aim of the dialectician is convincing the other side not finding the conclusion (*maṭlūb*), ... And since any uncertain thing should be presumptive or mixed with it, and presumption is not knowledge but rather is ignorance (*jahl*), this is why pure presumption contains multiple ignorance and is like compound ignorance (*jahl-e murakkab*). And what is mixed with presumption is conjoined with ignorance, and this ignorance might entail a corrupt belief that it may entail. . . . Therefore, we should not trust these kinds [of beliefs] mixing with presumption and this is why they are not beneficial by themselves. However, they might be useful for other [purposes]. So, the dialectic is not beneficial for the person, but its beneficiality comes from the person's association in the society, and from this respect, their status is inferior to the demonstration."[369]

In another classification of different types of premises for syllogism, he talks about the premises of demonstrative syllogism as the *necessary* statement (*qawl-e jāzem-e ḍarūrī*) out of sense perceptions or the intellect, while the premises of dialectical syllogism, i.e., widely-accepted premises, as non-necessary statements (*qawl-e jāzem-e ghayr-e ḍarūrī*) out of complete admission (*taslim*) of all people or partial admission of a specific group.[370]

Now the main question is whether the moral propositions can be demonstrative syllogisms? As we saw, Avicenna thinks of the moral propositions as widely-accepted premises. However, a demonstrative argument is composed of either primary premises, or the sensibles, experientials, widely-transmitted propositions, or the ones containing syllogism. Although, he talks about different kinds of widely-accepted premises, the most important of them are "primary premises, some sensibles, experientials, and widely-transmitted propositions,"[371] the moral kind of widely-accepted premises might not fall under any. For as he wanted to show us in the thought experiment, they might not come from the pure reason (i.e., as primary propositions), out of sensation (i.e., sensibles and experientials), and estimation (estimative premises). On the other hand, unlike widely-transmitted propositions that "might not be doubtable, and whatever is doubtable might not be as widely-transmitted,"[372] widely-accepted ones "might be doubtable, if someone tries to cast doubt on them."[373] Additionally, they cannot be propositions containing syllogism naturally, because according to the thought-experiment, they might not be out of the nature of the intellect, estimation or sensation,[374] that is, they are not innate for us. Then, if they are not one of *yaqiniyāt*, to which kind of widely-accepted ones should they belong? I think the answer should be found in a distinction that he makes between two different kinds of them, as he says,

> "some of them [i.e., *mashhūrat*] are of 'primary premises' and alike, that are believed necessarily (*yajibu qabūlahū*), not because of their necessity, but due to people acknowledging them; some others are 'opinions known as praiseworthy' (*al-ārā' al-*

[369] *Khājeh Naṣīr, Asās al-'Iqtibās* 487-8.
[370] *Khājeh Naṣīr, Asās al-'Iqtibās* 384-5.
[371] *Avicenna, Dāneshnāmeh-ye ʿAlā'ī*, 90.
[372] *Avicenna, Dāneshnāmeh-ye ʿAlā'ī*, 84.
[373] *Avicenna, Dāneshnāme-ye ʿAlā'ī*, 89.
[374] *Avicenna, Dāneshnāme-ye ʿAlā'ī*, 85-6.

musammā bil-maḥmūda) and we might specify them as 'widely-accepted', because it is just reputation that is their criterion."[375]

In other words, we can classify them in two sorts, in general terms and in specific terms. Other kinds of premises, like *yaqiniyāt*, as we saw, might be believed out of reputation by different societies and communities. In other words, they might be at the same time as *yaqini* and *mashhūr*, but in different respects. They are by themselves primary, though as widely-accepted ones are believed out of pure reputation. This is why he says, "and widely-accepted premises are more universal than primaries. Then all primaries are widely-accepted, but not [vice versa] that all widely-accepted ones are primary."[376] However, in a specific word, they are just their own particular kind referring to some specific propositions, not a general term that might include other kinds of premises too. As we saw, the moral principles might not be from *yaqiniyāt* and at the same time be *mashhūr*. In this sense of the word, they might originate from one of the abovementioned factors for widely-accepted propositions (education, induction, human's temperaments, . . .). It seems that the praiseworthy kinds of *mashhūrat* should be understood in this sense, i.e., those kinds of premises that don't belong to *yaqiniyāt* and the criterion for assenting them is pure reputation. The moral principles are like this.

We saw that the moral principles might not be demonstrative in the sense of being used as a premise for a demonstration because they are not *yaqini*. But what about being demonstrative as a conclusion of a syllogism, or syllogistically demonstrated? Can a moral proposition like 'lying is bad' be *burhāni* as a conclusion of some other *yaqini* premises? To respond to this question, we need to see whether we have any demonstration for moral precepts, according to Avicenna. We have already seen the distinction between the theoretical and practical intellect. Regarding this distinction, he says,

> "the first faculty for the human soul is ascribed to theory and is called as the theoretical intellect (*'aql naẓarī*); and the second one is ascribed to practice and is called the practical intellect (*'aql 'amalī*); and the former is related to truth and falsehood and the latter to good and evil in particulars, and the former is related to necessity, impossible and possible, and the latter to ugly, beautiful and the permitted (*mubāḥ*), and principles for the former are primary premises and for the latter are widely-accepted, accepted, presumed, experientially weak belonging to presumed, which are other than the experientially assured."[377]

We already found that he thinks of the object of the theoretical intellect as "the things whose existence is not up to our choices and acts," while the object of the practical intellect as "those matters whose existence is up to our choices and acts."[378] I think the strict distinction between two realms of intellect is so clear by him. In other words, truth and falsehood, necessity, impossible and possible are the main features of the theoretical intellect that deals with the state of affairs or those factual things that we don't have any control over them and passively

[375] *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 126-7.
[376] *Avicenna, al-Qiyās,* 453.
[377] *Avicenna, al-Nafs*, 266-7.
[378] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī,* 309.

receive them; however, good and evils in particular matters, ugly, beautiful and the permitted are the main features of the practical intellect that deals with our actions that are completely up to us and we have control over them. This means that taking the theoretical intellect as perceiving the moral principles in universal terms, like 'lying is bad', and the practical one as applying those principles into practice, like 'this act is lying and is bad', might not be a proper interpretation, because as well these general principles are related to the action, since we talk about them, such as lying, not in terms of possible, necessary or impossible, but in terms of ugly, beautiful, and permitted as belong to the practical realm.[379] Indeed, he ascribes both to the practical intellect, as he says,

> "the example for the theoretical perception is 'God is one', and for the practical one is 'we should not be unjust', because the theoretical perception is not related to action while the practical one causes the action. And practical perception is universal, as we said. It is particular as we say 'this man should not be hit'. It is particular in relation to motive faculty and universal in relation to the perceptive one."[380]

In other words, the universal moral principles are perceived by practical intellect, and applying them into practice in relation to particular objects as the cause of specific actions happens by it too. Now we should see to which of theoretical or practical *burhān* belongs?

In a distinction between different kinds of arguments, we already found in detail that the objective of demonstration is *finding the truth*, or distinction between *truth and falsehood* through certain premises that *necessarily* results in a certain conclusion. As we can see, the main features of demonstration are the main features of the theoretical intellect, whose subdivisions are *metaphysics*, *mathematics* and *natural philosophy*. In other words, demonstration just belongs to these branches of the theoretical philosophy that the truth value is *correspondence* there. It is in this sense that Khājeh Naṣīr in his commentary on the *Pointers and Reminders* says,

> "in the statement (*ḥukm*) either the correspondence (*muṭābiqa*) with the outer world is valid or not. Then if it is valid and there is complete correspondence, it would be acknowledged necessarily (*wājib al-qabūl*), otherwise [in the case of partial correspondence] would be estimative. And if the correspondence is not valid there, then it should be widely-accepted propositions."[381]

As we can see here, the criterion of correspondence as the characteristic of demonstration is not the case for *mashhūrat* at all. And I don't think by *mashhūrat* here, he means *mashhūrat* in general, which could include the *yaqiniyāt*, because correspondence does in fact apply to them. But rather, he means *mashhurat* in the specific sense i.e., the praiseworthy premises, that are not among *yaqini* premises and that result from pure reputation, with moral principles being among them.[382] This fits well with what Avicenna says, namely, that while "principles for the

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[379] As I will argue shortly, the characteristics like truth and falsehood, and possibility, impossibility and necessity are not essential for practical subjects, like lying.
[380] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī,* 196.
[381] *Khājeh Naṣīr, sharḥ Al-Ishārāt wa-l-Tanbīhāt*, 213, volume 1, quoting from, Qavam Safari, 2020, 354.
[382] see also, Qavam Safari, 2020, 349, and 358, footnote 14.

theoretical intellect are primary premises, for the practical one are widely-accepted, accepted, presumed, experientially weak belonging to presumed, which are other than experientially assured."[383] And from none of the latter premises, which are all presumptive and weak, a demonstrative conclusion might arise, if we are to think about moral principles as demonstrative in the sense of demonstrative conclusions.

I think it is not accidental that Avicenna in many cases, though not in a consistent way, talks about the practical statements not in terms of truth and falsehood, but instead as good and evil and ugly, beautiful and permitted, the features that might not belong to factual demonstrative truths with the criterion of correspondence. In other words, predicating good and evil or ugly or beautiful to demonstrative sciences (metaphysics, mathematics and natural sciences) is not allowed because these characteristics are not *essential* (*ḏātī*) for them. He says in this case,

> "and the geometrician never sees whether *the straight line is good or the circular one*. And never sees whether *the straight [line] is opposite to the circular one or not*, because goodness and oppositness are not essential for line, and the subjects in geometry cannot be attributed to these conceptions and these conceptions do not belong to geometry too; but, it is the dialectician, or the master in other sciences, who talks about them, where the goodness or oppositeness are essential for those sciences."[384]

By the same token, the topics of the practical sciences, like ethics, politics and household management, can not be attributed to truth and falsehood as the characteristics of the theoretical sciences that deal with demonstration.[385] If saying 'line is good', or 'fire is ugly' or 'the principle of non-contradiction is evil' all are improper predications in the realm of demonstrative sciences, saying 'lying is false' seems the same, because of predicating falsehood to a subject of practical reason that deals with praiseworthy statements that are conventional rather than factual. Saying that we never can attribute the properties of practical intellect to theoretical subjects, but we can sometimes attribute the properties of theoretical intellect to some practical subjects seems not to follow any consistent and rational rule, and so arbitrary. Truth and falsehood on the one hand, and beautiful and ugliness on the other hand, might not be interchangeable or reducible to each other. Otherwise, the division between the theoretical intellect with all of its subdivisions and the practical intellect with all of its branches would be nonsense. He says in this regard, "the opposite of right is wrong, the opposite of what is widely-accepted is ugly (*shanī*')," [386] or in *Pointers and Reminders* he says, "true is different from praiseworthy and similarly false is different from ugly; there may be ugly that is right and praiseworthy that is false."[387] If all of them follow the same rules and criteria, then what would be a need for dividing them into two different realms?[388] He even thinks of calling

[383] *Avicenna, al-Nafs*, 266-7.
[384] *Avicenna, Dāneshnāme-ye ʿAlāʾī*, 101-2.
[385] see also, Qavam Safari, 2020, 345, 353.
[386] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 90.
[387] *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 127.
[388] see also, Qavam Safari, 2020, 352.

two parts of human rational faculties, that is, theoretical and practical ones, equivocally (*bi-'ishtirāk al-'ism*).[389] They are just equivocally the intellect, though with different objects, as we saw earlier. Whereas true or false are the properties of theoretical statements, in which correspondence is the criterion of truth value there, however, with regard to the properties of practical statements, it is beneficiality or harmfulness or beautifulness or ugliness that is the criterion for moral values.[390] Indeed, if the moral conduct, as we will see in detail in section 8, is self-managing, in the sense of limiting and training our desires and aversions as the causes of actions to reach habituation of them, or harnessing them by the intellect, as a result, the moral act is not a correspondence between our acts and our desires and aversions. In contrast, in most cases, the moral act might be in a strict in-correspondence with our desires and aversions. In this sense, moral acts do not reflect factual things about our temperaments.
However, at the same time, he talks about how the subjects related to practical intellect might be true or false or can be argumentative or even demonstrative. For instance, he says,

> "those opinions that are related to actions and which pour forth, [becoming] well-known, widely-accepted propositions - like lying is ugly and injustice is ugly - not by way of demonstration, and what is similar to this of premises delimited distinct from those purely rational primaries in logic books. Although if they became demonstrative they would become rational too, as you know from the books of logic."[391]

Or when he refers to *mashhūrat* as true or false, "some of them are true [like lying is bad . . .] and some are false, unless with a provision, like we should not say that, God is capable of doing impossibles and, God is knowledgeable, [then] he knows his companion [as an impossible] too."[392] In another classification of different kinds of syllogistic arguments (*qiyās*) he thinks of *rational syllogisms* (*qiyās al-ta'aqquliya*) related to actions. He says in this case,

> "the rational syllogisms are the ones compounded [of premises] to conclude what to do . . . And this is why, they come out of true or majorly true (*'akthariyya fi-l ḥaqiqa*) premises. . . . And the rational one is more universal than the political ones (*siyāsiyya*), because the latter is related to drawing conclusions for what to do or not to do regarding the matters for association [in the society] that are beneficial for managing the nation by itself. And the rational syllogism is included in this sort and those ones that are more specific."[393]

By rational syllogism here, he should mean demonstration, because "and we have said that the demonstration either is for necessary things or things true for the most part."[394] Since the premises of rational syllogism are true or majorly right, then they should be the demonstrative kind of argumentation. However, we found that the premises that can be used in the practical intellect are out of weak presumptive ones, and from propositions like this we can not reach conclusions with certainty. Additionally, if this is the case, and we can reach the

[389] *Avicenna, al-Najāt, Rahman trs*, 32.
[390] *Avicenna, al-Khiṭābah*, 56.
[391] *Avicenna, al-Nafs*, 62.
[392] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 89.
[393] *Avicenna, al-Qiyās*, 556.
[394] *Avicenna, al-Burāhn*, 305.

moral principles as the conclusion of a demonstration, as we saw above, this results in some inconsistencies with Avicennian philosophy. That is, ignoring the given distinction between the theoretical and practical intellect, as he is explicit about it, predicating the properties of the theoretical intellect of the practical subjects. In other words, if predicating good or evil, and beautiful and ugly of line (in mathematics) is improper, because these properties are not essential for mathematics as a theoretical science, predicating right or wrong, true and false - that are essential for the theoretical subjects - of moral conceptions that belong to the practical subjects seems the same.

On the other hand, providing such a certain conclusion in the form of demonstration that is always true, like mathematical, natural or metaphysical truths, doesn't seem to be possible. It is not surprising that Avicenna never provides any demonstration for moral principles.[395] The main reason for morality in general, and moral principles in particular, according to him, is preserving *the comm*on good (*maṣliḥa*) of the society.[396] For example, lying or killing are bad, because they would harm the society, and in turn humanity as a social animal. But, what if the well-being of a society is provided by lying or killing? If the only way for finding the place of a destructive bomb implemented by a terrorist is torturing and killing his innocent kid before him, and saving the society, should we do it for the communal common good? Or what if someone kills a homeless orphan somewhere far from the society without anyone being aware of it to affect the society negatively? In other words, the common good doesn't seem to provide us with demonstrative moral principles that, like demonstrations in the theoretical sciences, are necessary and certain. There might be many complicated cases that without violating the common good, we can act against the moral principles arbitrarily, or by violating them we can maximise the social welfare. This is why, in the absence of demonstrations from Avicenna for moral principles, what might come out of the principle of the common good, as it seems the main purpose of morality, are not some absolute principles that are always true, but some kind of consequentialist utilitarian approach that is always in the job of calculation to reach the best possible outcomes. But this approach seems inconsistent with his main virtue-based approach to morality.

Therefore, we found that Avicenna fails to provide us with certain demonstration for moral principles, and as the defendant for such a thing, the heavy burden of proof is on his shoulders. Even if he could provide such demonstrations, this seems against his explicit divisions of sciences, and attributing the essential characteristics of one realm to the other one. We also tried, by ignoring the given distinction that he makes between the two realms of intellect and suppose that we can make demonstrations for ethical principles, to propose such demonstrations by the principle of the common good, as it seems the main factor of the formation of morality by him, but as we saw, our attempts in reaching a demonstration were not successful. In other words, what we can reach by following the common good is not demonstration, but some

[395] Qavam Safari, 2020, 355.
[396] *Avicenna, al-Nafs,* 264.

presumptive principles that depending on the social context, their truth values might change. In this case, morality doesn't seem to be a kind of *habituation* (*'ādat*) to some absolute principles that are always true, as Avicenna considers morality as getting habituated to virtues, but rather some kind of constant *calculation* of what to do or not to do, depending on the circumstances for social well-being. Therefore, moral principles, like lying is bad, are not always true that makes our main task as getting habituated to them; under some circumstances they might be wrong, depending on the consequences that they might have for the common good. What follows from this view would not be principles that are syllogistically demonstrated, but the dialectical ones.[397] This also well suits with what Khājeh Naṣīr says about dialectic, as we can see, it contains the main feature of a moral principle, i.e., *association in the society,*

> ". . . Therefore, we should not trust these kinds [of beliefs] mixing with presumption and this is why they are not beneficial by themselves. However, they might be useful for other [purposes]. So, the dialectic is not beneficial for the person, but its beneficiality comes from the person's association in the society, and from this respect, their status is inferior to the demonstration."[398]

Although it seems that Avicenna is reluctant to draw such conclusion, but taking the principle of the common good as the main reason for moral principles seems to end up in such puzzles.

On the other hand, this seems inconsistent with a virtue-based approach that Avicenna, as it will become clear shortly, finds himself promoting. In a virtue-ethics approach, what is of great importance is the act itself and the intention behind it, not necessarily the consequences that the act might result in. For instance, lying is always bad regardless of the consequences that it might have for the common good, and consequently in this approach the acts themselves are of intrinsic value. Therefore, adopting the principle of the common good as the final criterion for ethical principles seems not to be in a harmony with a virtue-based ethics. The other important problem that may arise is related to seeing virtues as *the mean* between excess and deficiency. If 'not lying' or honesty is *the mean* between the two extremes of 'always lying' or flattery, and 'never lying' or insulting frankness as vices, therefore, *the mean* as virtue should be somewhere in the middle, i.e., under some circumstances we might be allowed

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[397] One could say, can't we think of the principle of the common good as the general principle behind all moral judgments that is always true? I think we might think of it in two terms, the common good with *intrinsic value* or it with *instrumental value*. As with intrinsic value, it would be the main goal of morality and in any case of conflicts between some virtues and the principle, we should follow the principle and violate the virtue. For instance, in the case of the terrorist's kid, we should kill him to find the place of the bomb. In this case our moral theory is turned into a utilitarian approach; however, if we think of the common good with instrumental value for preserving the social life as a virtuous life, we should follow it as far as it conforms to virtues, and in case of any conflicts between the principle and virtues, we should follow virtues and sacrifice the principle. Regarding our example, we should not kill the innocent kid of the terrorist for saving the society, because killing an innocent to reach our goal is a vice and bad. In this case, i.e., to abandon the principle, we have also abandoned the main aim of morality, which is preserving social life, according to Avicenna, because the bomb would destroy the society.

[398] *Khājeh Naṣīr, Asās al-'Iqtibās* 487-8.

to lie, depending on our calculations for social welfare. In other words, how can we think of *not lying*, *not killing*, or *not being unjust* in terms of *the mean* and at the same time being loyal to the doctrine of intrinsic value of a virtue-based morality? If under some circumstances we are allowed to lie, to kill or to be unjust, depending on what our calculations might tell us for social welfare, again these acts might not be of intrinsic value by themselves. Instead of *habituation* to some principles with intrinsic values, we should be in the job of constant *calculation* of the possible consequences.

However, I think, Avicenna adopts two different approaches in morality, depending on whether we talk about *the ethics of character* or the *ethics of conduct*, that I will talk about in *section 8* in detail. Generally speaking, while in the realm of self-managing, or ethics of character, he follows the Aristotelian approach of a virtue-ethicist, however, in the realm of managing the household and society, he follows a divine-command morality as the main source of widely-accepted propositions. In this case, our task is following or getting habituated to moral principles as absolute ones that have come from religious law (*shar'*) or the divine will. To see how this might be feasible, we need to have a look at a passage from *Pointers and Reminders* that talks about how specifically the concept of *justice ('idāla)* is formed, and what are the requirements of moral conducts. In other words, from where do the moral principles as praiseworthy opinions come? We already found that as praiseworthy opinions, they are just out of pure reputation and convention. Our final analysis showed us that they even might not be certain in the sense of being conclusions of demonstrative syllogisms. Therefore, should we think of them as just some relativist principles that might vary from one society to another?

In *Pointers and Reminders* in a discussion on justice as it works to ensure transactions among people, Avicenna takes it into consideration not as a convention among people, but rather as something that comes from a prophet-legislator that has come from God equipped with some miracles. He says,

> "[having social life for humans] is necessary to have among people transactions and justice preserved by a law imposed by a legislator (*shāri'*). This legislator is distinguished by meriting obedience due to his special possession of signs that indicate that they are from the Lord. It is also necessary that the performer of good deeds and the performer of bad deeds be retributed (*jazā'*) by their Lord, the Powerful and the Knower. Thus, knowledge concerning the retributer (*mujāzī'*) and the legislator is necessary. In addition to knowledge, it is necessary to have a cause of retaining knowledge. Therefore, worship (*'ibāda*), which reminds one of the Object of worship, is imposed on people to be repeated by them in order that they preserve the remembrance by repetition until the call for justice that sustains the life of the species becomes known. Those who practice this worship have abundant reward in the second life, in addition to the great benefit they have in the present life."[399]

In fact, justice as one of the key elements in the moral, political and social sphere, that Avicenna in *Dāneshnameh* specifically takes it as a right instance of the widely-accepted premises,[400] is neither out of pure reputation and convention, nor pure reason, but the religious law that God has sent to us by means of his

[399] *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 357. This translation comes from, Inati, 1996, 82-3.
[400] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 89.

messenger.[401] What is of great importance in this text is that *having knowledge of God* and *his prophet-legislator* is so significant as it should be reminded every day through praying by performers. In other words, the epistemic status of the believer is of the greatest importance, and it should not be believed just out of pure reputation. Similarly, it doesn't seem if someone has reached the moral principles, justice among them, just by reasoning without believing in God and his prophet, he has been able to fulfill the requirements of a moral conduct. This, I think, excludes the possibility of a natural morality that comes from pure reason without believing in God and his prophet. Therefore, not only the way of knowledge to moral principles is significant, but from whom they come is crucial, i.e., their sources and how they are authorized. Hence, what this text seems to propose is that moral precepts need an external authority that makes them obligatory in the sense of afterlife rewards and punishments that Avicenna mentions in *Pointers and Reminders*.[402]

Within this context, praying works like a reminder to people of the omnipresence of God, or one can say, it reminds people of the fear of an afterlife punishment in order to assure the execution of justice. In fact, we humans accept them because they are accredited by a virtuous and wise person, i.e., prophet. In this case, the moral propositions in the final analysis are the received propositions (*maqbūlāt*), which Avicenna defines as "*the premises that are accepted from a virtuous and wise man* and are taken as decisive. But they are neither primary nor sensible."[403] In other words, we believe in them not because they are necessarily true, but rather since they come or stem from a trustworthy person. This is why he considers the received propositions not as the premises for demonstration, but as the ones for rhetoric, whose main aim is not finding the truth, but just convincing the audience.

Putting together the main points up to now, including: the absence of demonstrative syllogisms for moral principles from Avicenna, and our failure to provide them on the basis of the principle of the common good, and following the distinction that he makes between the theoretical and practical intellect that deal with different subjects, realms, and principles, which all showed us we might not have a demonstrative knowledge of moral principles in the sense of universal certain principles; and with regard to believing in God and his prophet as the requirements of moral conduct, I think, the inevitable conclusion is some kind of divine-command theory of morality from him. Although Avicenna seems to be reluctant in some of his works to see the moral principles as received propositions, because he wants to think of them as rational syllogisms with true premises, however, investigating his ideas on the moral principles in his other texts reaches us not to demonstrative principles, but to some principles that, as the received ones, acquire their authority from the scriptures that are ascribed to a trustworthy person, i.e., the prophet.

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[401] see also, Qavam Safari, 2020, 355-6.
[402] See for example: *Avicenna, Al-Ishārāt wa-l-Tanbīhāt,* 337-8.
[403] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī,* 90.

2.4.2.1 Animal morality

After this comprehensive analysis of Avicennian moral theory, now we should turn to the main topic of whether we can see any animal morality in Avicennian context. We saw that Avicenna denies morality for non-human animals. However, if animals lack the required prerequisite for an ethical perspective, i.e., the intellect, how can the case of a lion who doesn't harm his trainer be explained? Does it mean that the lion on the basis of some apprehension of good and bad knows that he should not harm the trainer? Avicenna responds negatively. He thinks that the lion's behavior doesn't come from a *belief out of deliberative thinking (iʿtiqād wa raʾy)*, but rather from a *psychological disposition* (*heyʾa nafsāniya*) according to which all animals naturally choose what gives them pleasure. If the lion doesn't tear off his trainer, it is because the image of his master associates the estimative intention of him as a feeder for the lion. Therefore, the lion's so-called compassion to him comes not from a deliberative belief in loving him, but from the instinctual pleasure for food that his owner is like the means for that. Thus, animals fall short of the ethical sphere in its real sense. This is also the case regarding when the mother animal sacrifices herself for her offspring. That is, the mother's love is out of a psychological disposition that is inherited from nature.[404]

However, in his discussion on the varieties of goodness (*khayr*), Avicenna maintains two sorts of good, the first and the genuine one is doing *good for itself or virtue* in the real sense of the word. For instance, if the agent does not lie it is because he sees lying wrong by itself, not due to some external ends like fearing of an afterlife punishment. The second and the ingenuine one is when *the good is done for the sake of something else*, like out of obligation, benefit or some kind of purpose.[405] According to this classification, it seems that the lion might be seen at least as having goodness in the second meaning, as among humans just a few people would do the good for itself. On the other hand, what to say about the dog, sheep, cow or other kinds of animals that despite being misused by their owners, however, they might still feel loyalty toward them? In such cases, it seems that even though the image of the owner is associated with the estimative intention of inflicting pain for the animal, they may still show affinity with their sadistic owners. Should we not see such behaviors from the animal as some kind of pure goodness or an animal virtue?

In fact, there are some evidences that support the existence of animal virtues in Avicenna's works. In a vague and concise passage in the *Najāt*, he speaks about the possibility of attributing moral temperament (*ʾakhlāq*) to the bodily faculties. Then, he adds,

> "if the latter [i.e., the bodily faculties] predominate they are in an active state, while the practical intelligence [intellect] is in a passive one. Thus the same thing produces morals in both. But if the practical intelligence predominates, it is in an active state while the bodily faculties are in a passive one, and this is morals in the strict sense."[406]

[404] *Avicenna, al-Nafs*, 264.
[405] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 434.
[406] *Avicenna, al-Najāt, Rahman trs*, 32.

As Fazlorahman says, it seems that we should take the 'bodily' here as 'natural'. Therefore, it seems that Avicenna, following Aristotle, holds two sorts of virtues, 'natural or sub-rational ones' that fall short of rationality and are instinctual, as Aristotle thinks of *shame* in this sense; and 'moral or rational virtues' that come out of the intellect and form morality in the real sense of the word.[407] If there are natural virtues, then it seems that animals might be able to have them. Indeed, as I need to show, following Aristotle, Avicenna, especially in his zoological work, attributes a bunch of moral virtues and vices to animals and speaks of morality and affections in them.

2.4.2.2 Specialization of tasks and inferring crafts

Following the social life, Avicenna refers to specialization of tasks and inferring the crafts as another characteristic of human life, as "one grows vegetables, another bakes, one sews, and yet another makes the tools, and so on."[408] Unlike other animals, to benefit from nature, humans use different kinds of crafts to transform the natural sources into usable things. This function from humans comes again from their practical reason, when it takes other faculties like imagination and estimation under its control.[409] For him, even though we can see some appearances of task specialization among other species like ants and bees,[410] but once again they are out of the inspirational or instinctual nature of the animals, whereas in humans different skills and tasks come from the inferential and syllogistic aspect of the human intellect.[411] Avicenna's reason for thinking of most animal behaviors as being out of instinct, rather than a deliberative action, comes from, as he says, how animals behave in the same and similar way, while humans exhibit diverse behaviors that are the result of reasoning for finding the unknown things. He says, "if they [animals] could seek the unknown things, they would explore in different ways and escape, and they would not treat in the same kind with the same acts."[412] He thinks of husbandry as the first craft that humans have been able to reach. The second one is making clothes. Due to having the natural cover, animals had never any need for that, whereas to protect themselves from the cold and warmth, humans invented the skills for making the clothes.[413]

2.4.3 Speech

Other human characteristics that are tied with having social life and the need for having communication, for Avicenna, is *speech* or *language*. Following Aristotle, he thinks of three different kinds of sounds in animals: a) *speech (kalām)*, which is found just in humankind due to its ability for muting consonants through the

[407] *Avicenna, al-Najāt, Rahman trs,* 86-7.
[408] Metaphysics, X.2, 364.7–12, quoting from McGinnis, 2010, 214.
[409] *Avicenna, al-Najāt, Rahman trs*, 32.
[410] *Avicenna, Al-Ḥayawān*, 134.
[411] *Avicenna, al-Nafs*, 263.
[412] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 200.
[413] *Avicenna, al-Nafs*, 263.

tongue and uttering the vowels by the lungs; b) *yelling (ṣayḥa)*, which can be found in every animal with larynx and lungs; c) *sound (ṣawt)*, which can come from animals and non-animals that is not like yelling. Like the sounds coming from clapping, or those that insects can produce from their hard skins, or the sounds of flapping wings from birds or insects and so on.[414] While other animal species might communicate through yelling, that is, different intonations could imply different internal states, since they come from their nature and imply in general the agreement and aversion that is not fully realized nor detailed, they have no specific meaning or they are not so varied in their meaning.[415] In other words, they just reflect the inner natural dispositions of animals in a natural signification. Avicenna's examples are the voices that they produce during mating period, or when they call each other by singing.[416] However, at the same time, he ascribes some voices to animals that may imply more complex capabilities among them. For instance, he talks about how a male partridge pleadingly with a gentle voice talks with the female one lest her singing attracts other males to herself. This also implies the impression of jealousy among other species. Or quoting from Aristotle, he talks about a bird that sings lamentably, and the more lamented it is, it might be a sign of how the bird's death might be close.[417] It is as if he is recognizing some ability of predicting death for other animals.

On the other hand, human speech has the conventional indications (*waḍ'*), that not only implies its natural dispositions, but rather endless meanings, and the necessity of exchanging information among humans has been the main reason for inventing these systems of communication.[418] Therefore, if the speech is human specific, its cause should be found just in humankind, which is the intellect. Although there are some animals that can imitate human speech, like parrots, it is just because of their tongue shape; otherwise, they do not understand the conventional meaning of the words.[419]

2.4.4 Intellect-related affections

On the basis of having an intellect and morality, Avicenna thinks of different kinds of affections as human specific, affections in which animals cannot participate. According to him, some of these come from the cooperation of the practical reason with the appetitive animal faculty.[420] An example is *amazement* (*ta'ajjub*), which occurs following the apprehension of rare things. It is like, for him, when the intellect cannot find a good reason in facing a phenomenon, this mental state happens as a result. Or one can say, when something unexpected happens, that is, something happens against the belief routine, the surprise gets

[414] *Avicenna, Al-Ḥayawān*, 63; see also, *Aristotle, The History of Animals*, 94-5.
[415] *Avicenna, al-Nafs*, 263.
[416] *Avicenna, Al-Ḥayawān*, 64.
[417] *Avicenna, Al-Ḥayawān*, 122-23.
[418] *Avicenna, al-Nafs*, 263.
[419] *Avicenna, al-Nafs*, 31, 64, 102.
[420] *Avicenna, al-Najāt, Rahman trs*, 32; *Avicenna, al-Nafs*, 61-2; McGinnis, 2010, 212.

raised. And belief, as we saw earlier, requires intellection. Another example is *weeping* (*bakā'an*), which happens following another affection, i.e., *annoyance* (*ḍajar*) that succeeds in apprehending the harmful things. It is maybe the recognition of the despair for solving the issue by the intellect that ends up in this affection. There's also *laughter* (*ḍaḥaka*), which is affection that follows amazement.[421] Avicenna considers laughter as the first act of rational soul in the child's body following the proper trigger that starts to happen forty days after birth.[422] Finally, there's *embarrassment* (*khajalun*), the affection comes from getting aware of the awareness of someone else of your wrong-doing.[423] This reflective affection results from the intellect as the foundation of moral perception and, as will become clear shortly, reflectivity.[424]

2.4.5 Time perception and prudence

Perceiving time in terms of preceding (*taqaddum*) and succeeding (*ta'akhkhur*) the material things as a rational process,[425] Avicenna thinks of other animals as lacking time perception and are just bound to the present moment.[426] In fact, they do not have any perception of the past and future. All of their perceptions should be seen only in terms of the 'now' (*ān*), or of what is connected with the present moment. Even those acts that are attributed to them as prudence, since they do not come from the apprehension of the future, and they are out of instinct or divine inspirations, might not be called prudence or far-sightedness in the real sense of the word. Therefore, he explains the behavior of transporting provisions by ants to their burrow not as related to the future, but as if ants imagine raining in that moment. This is why they are always in the job of collecting provisions.

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421 *Avicenna, al-Nafs*, 263-4.
422 *Avicenna, Al-Ḥayawān*, 183.
423 *Avicenna, al-Nafs*, 264.
424 However, these days, we know how this analysis about the specification of such affections to humans can be wrong. The most common example for how other species might get amazed can be the cats' and dogs' reactions to the so-called disappearing magic trick by their owners with a blanket, that in most cases the animals get surprised of the disappeared person behind the blanket. In fact, they find the situation unexpected and against the belief routine. Or regarding getting embarrassed, there is evidence of how other species might get embarrassed of doing something like a crime, for instance, dogs' and cats' reactions to breaking some home utensils or stuffs regarding their owners. It is like they understand some behaviors as the regulations that should not be violated, and when they violate them and are blamed they show some behaviors indicating embarrassment. In these cases, we should seemingly attribute some degrees of intellection to animals since we have already tied some existing affections in them with rationality, or we should analyze them differently by untying them from rationality.
425 *Avicenna, al-Nafs*, 302.
426 However, according to another interpretation, the perception of time might be ascribed to common sense, as the examples of seeing the raindrops in a linear way can be an evidence for it. In other words, if time is the measure of motion and it is common sense that experiences the presence of a moving thing in spot A and spot B and the extension between them at the same time, this is in fact the perception of time as the extension or continuation between two spots (Kaukau, 2014, 102-6). In this case, if we are allowed to attribute the perception of time to animals, it should be done in a very limited way, just as connected to the present moment, because Avicenna is explicit about denying the perception of time to them for longer durations.

Or if animals are always escaping, it is because they imagine as if they are being hunted at that time. In fact, none of these acts come from having a sense of the future. Therefore, the same and similar behaviors from animals most of the time might be due to their binding to the present moment.[427] In contrast to this, as we saw earlier, the varied behaviors from humans come from different deliberations in different situations. In other words, due to distinguishing between different times, i.e., the present, future, past, humans do everything in its due time, however, this is not the case in animals.

There are two affections that Avicenna thinks of in terms of time perception and somehow as human specific: *angst (khawf)*, the affection followed by perceiving the harmfulness of something in relation to the future time. In contrast, we can see some kind of fearfulness of harmful things related to the now or connected to the present in animals. And *hope (rajā')*, as far as related to the future time, might not be found in animals.[428]

Now we can ask the question that we already raised, i.e., how do we know that non-human animals lack intellection and universal intelligibles? Can't they have at least some degree of intellection? The main reason comes from the Aristotelian-Avicennian metaphysics, where having the rational soul is seen as a human differentia (*faṣl*). According to this metaphysical scheme, all species are distinguished with a species or substantial form, and there might not be any kind of gradation or motion in it. All in having, for example, the human or horse species form are equal, as a horse cannot be more *horser* than another horse, or a human, *more human* than his fellow human. Because in this case, as Avicenna argues, either it keeps still remaining as its own species or it does not. In the first case, the changes have not occurred in its substance (*jawhar*), rather in its accidents (*'araḍ*); otherwise, its species is entirely corrupted (*fisād*), and a new species has come to existence (*kawn*), not that the same substance has been the subject of gradual changes. Similarly, if the rational soul is the substantial form of only human species, then no other species than humankind might participate in it, even to some degrees, because it is not gradable in any way.[429] It is in this metaphysical scheme of fixity of species that Avicenna's ideas regarding other species should be followed as within this metaphysical framework the limits between species are fixed and definite.

2.5 Avicennian animal's cognitive content

The consequences of the lack of intellect for animals are the absence of a combination of various capabilities, some of which we investigated in the preceding. In fact, Avicenna considers the animal's cognitive content as being non-conceptual. He thinks of knowledge in two broad categories of *conception*

[427] *Avicenna, al-Nafs*, 264-5.
[428] *Avicenna, al-Nafs*, 264-5.
[429] *Avicenna, Dāneshnāme-ye ʿAlā'ī*, 130, 163, 167.

(*taṣawwur*) and *assent* (*taṣdiq*). Conception, as he says, is when someone utters 'human', 'fairy' and so on, and we can understand and have a representation of them in the mind. It can be general, i.e., applicable to multiple instances, like 'human', or particular, like 'Zayd'. Assent is predicating (*ḥaml*) a conception of another one in a negative or positive way, like 'Zayd *is* a human' or 'human *is not* a tree'.[430] He attributes the generative process of conception and assent to the intellect.[431] This is why for him, animals are devoid of all kinds of conceptions, whether universal or particular. That they also lack speech and language is the effect of the lack of conceptions that in turn comes from having the rational soul.

Regarding having the judgment, Avicenna defines it as, "predicating something of something else in a negative or positive way,"[432] like when we say that *the human is animal* or *the human is not animal*, where the former is true and the latter is false. However, having this kind of judgment is dependent on having the conceptions. Therefore, animals might not have them. At the same time, as we already saw, judging is one of the characteristics of common sense and estimation. As a result, animals should have some kind of judgment anyway. In fact, even though they might not have *propositional judgments*, they can have *estimative ones out of the association of intentions*. Like when the bear sees a yellow fluid and judges that matter as sweet and as a food. These associations might be true or false, like when the bear confuses the vinegar with the honey. I think, despite the lack of conceptions and assents, Avicennian animal just can have judgment in this sense of the word. This kind of judgment, as we already found out, is an estimative judgment that is imaginative and without the logical explanation,[433] however, its value might be examined through the experience as true or false.

What about apprehending the primary intelligibles (*badihiyāt*), i.e., those intuitive, self-evident pieces of knowledge that are not acquired through sensations? While humans apprehend them by means of the intellect, i.e., the second phase of intellection that he calls 'dispositional intellect' (*'aql bi-l malaka*) that apprehends all self-evident propositions like the principle of identity, non-contradiction and so on, however, animals do not appear to be able to apprehend them. Nevertheless, we can observe the presence of these principles in animals' behaviors, like when the mother cow feels helpless in the absence of her calf, it seems that she has a perception of the principle of non-contradiction, because she can distinguish between the presence and the absence of her calf. So, how might this be justified in the context of Avicennian psychology? It appears to me that the primary principles in animals should be apprehended as the estimative intentions conjoined with the particular perceptions. In other words, the mother cow might not have any perception of the principle of non-contradiction *per se*, just like she lacks the hostility by itself; but rather, she always apprehends them conjoined with a particular perception, like the absence of her calf.

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[430] *Avicenna, Dāneshnāme-ye ʿAlāʾī*, 10, 14-15.
[431] *Avicenna, al-Nafs*, 284-5; *Avicenna, al-Najāt, Rahman trs*, 55; *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 246.
[432] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 30.
[433] *Avicenna, al-Nafs*, 238.

As a result, the cognitive content of the animal mind in the Avicennian philosophical context should be limited to representations/images (*tamaṣṣulāt*) and intentions.

2.6 Avicennian animal and the process of learning

Avicenna likens the process of learning to recollection, with some similarities and dissimilarities between them. Therefore, as we saw earlier, if the recollection is retrieving the intentions and missed forms by means of the deliberative process of exploring the internal or external perceptions, in the similar way, Avicenna thinks of the process of learning as the deliberative process of "disposing the known things to find the unknown,"[434] which is equal to the intellection. Following the lack of the intellect, as a result, animals might not be able to have the capability of learning in this sense of the word. This is the point that he explicitly mentions and thinks of the animals' behaviors which come out of their nature.[435]

On the other hand, the nexus between having the intellect and learning becomes more clear if we pay attention to the role of the active intellect in both processes of learning and intellection. As we saw earlier in our discussion of the intellect and its object i.e., the intelligibles, Avicenna holds that they are entirely immaterial and abstract and, as such, incapable of being imprinted in matter. This is why he did not recognize any corresponding bodily organ for the intellect in the brain and thinks of rational activities as the outputs of an immaterial substance. However, if the reservoir of sensible forms is the formative imagination and the retentive faculty for the estimative intentions, in the similar way, the intelligibles need a locus to be reserved. For him, this storehouse should be an immaterial entity as the substratum with an emanatory role of all the intelligible forms. The process of intellection is not something other than the emanation of universal intelligibles from this source into our rational soul. Within this context, he construes learning as acquiring the required disposition for emanation of the intelligibles from an immaterial source, known as the *active intellect ('aql fa'āl)*[436]. In fact, the immaterial universal conceptions are not produced by our corporeal internal faculties. Indeed, the semi-immaterial imaginative forms and the estimative intentions make the human soul prepared to receive the entirely immaterial intelligibles in an emanation.[437]

However, we have already seen that animals are able to form the experiences as another source of the estimative intentions, as the dog after one time of being beaten by a man with a stick, for the next time escapes all the men who look like this. If animals cannot learn in the sense of intellection and emanation from the active intellect, however, learning in the form of experiences

[434] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 12; *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 243.
[435] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 200.
[436] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 211.
[437] *Avicenna, al-Nafs*, 311-5.

can be the case with them as we showed above. However, having an experience seems to be dependent on some kind of *generalization* and applying the first experience to the following similar ones. The capability that seems to come from the intellect in Avicennian philosophy, since perceiving general or universal things always take place in the realm of intellect for him.

2.7 Avicenna on animal self-awareness

Following our discussions of animal inabilities in general, and the lack of the intellect in particular as specific to humans, now we can open the big topic of animal self-awareness. In general, regarding self-awareness, Avicenna's detailed discussions are more about human self-awareness and his discussions on animal self-awareness are not as systematic as the ones on the human self-awareness. At the same time, most of the words from him on the animal self-awareness come from his later works, like the *Notes (al-Taʿlīqāt)* and the *Discussions (al-Mubāḥathāt)* that lack the systematicity of his earlier works. Nevertheless, I try to reconstruct his ideas in this case in a consistent framework. Before I go through the topic of animal self-awareness, let's first see what he means by self-awareness in humans.

In a general classification, Avicenna thinks of two sorts of self-awareness (*shuʿūr bī-l dhāt*) or self-apprehension in humans as the upshots of having the rational soul. He defines the human self-awareness as when, "the subject of awareness (*shāʿir*) is the same as the object (*mashʿūr*), while the awareness of others is when the object of awareness is [not the subject itself and] different from the subject."[438] As a result, the self-awareness is apprehending oneself. As we already saw, Avicenna defines perception as, "the presence of the perceived in some way for the recipient."[439] However, how do we acquire any form of ourselves?

Following an Aristotelian principle, that "in the case of objects which involve no matter, what thinks and what is thought are identical,"[440]Avicenna thought that all immaterial things apprehend their essence and are always present for themselves. Although Aristotle makes self-awareness dependent on the intellect's having been previously actualized by an object,[441] for Avicenna, however, the intellects (*ʿuqūl*) are always present for themselves, regardless of having an object or not. The human intellect is not an exemption to this; thus, it too should always apprehend itself. He says, "the human soul apprehends its essence because it is immaterial; the animal soul, however, is not immaterial, therefore, it cannot apprehend its essence."[442] Therefore, "this means that it is capable of intellectual apprehension the objects of which are immaterial and cannot be grasped by means of a corporeally operative cognitive faculty. But

[438] *Avicenna, al-Taʿlīqāt*, §807; *Avicenna, al-Mubāḥathāt*, §1079.
[439] *Avicenna, al-Nafs*, 78; *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 237, 244.
[440] Alwishah, 2016, 75.
[441] Lopez Farjeat, 2012, 124.
[442] *Avicenna, al-Taʿlīqāt*, §331.

more importantly, the human soul's immateriality also enables it to function as an object of intellectual apprehension."[443] Or in other passage he says that,

> "then the rational faculty should permanently apprehend its essence, and since it does not get oblivious of its essence then it does not require to apprehend it; but rather its own existence is identical to apprehending its essence, or [one can say] they are interdependent."[444]

Therefore, for Avicenna, humans are always aware of themselves immediately.[445] In fact, self-awareness is not acquired for humans by any means or through apprehending an image of our essences intermittently. It works as a prerequisite for all forms of awareness of other things and it is constituent (*muqawwim*) for the self.[446] Consequently, unlike for Aristotle, the apprehension of myself does not result by means of perceiving other objects, because in this case my self-awareness would be always dependent on other objects, and the awareness of that object would be prior to awareness of our essences.[447] This is the same result that Avicenna wants to draw from the thought experiment of the floating man. According to the experiment, if all of our external and internal senses go into a suspension (or better to say, a flight) mode, and we assume ourselves like a feather that is smoothly floating into air, there would still be something inside us that we are aware of, i.e., the flow of awareness. In other words, despite the lack of sensation from something, we are still aware of ourselves, even though we do not remember it, like when we are asleep or drunk. In fact, our awareness does not come from our body; therefore, it must come from an immaterial thing, i.e., the rational soul.[448] He calls this kind of self-awareness as *the natural awareness* (*shu'ūr bi-l ṭab'*) or *absolute or pure awareness* (*shu'ūr 'al-al-'iṭlāq*), which is innate (*fiṭrī*) or essential (*dhātī*) to us and comes from the essence of the intellect.[449] He holds that, "the human soul's self-awareness is primary (*'awwalī*) for it; it does not come out of acquisition (*'iktisāb*)."[450] Consequently, this kind of awareness might be called the *primary self-awareness* that is always with us in an actual manner (*bi-l-fi'l*). Even when we think that we are not aware of ourselves, like when we are asleep or drunk, we just do not remember it, because

> "remembering the self-awareness is different from the self-awareness [itself], and the one who is awake sometimes does not remember it, if he does not preserve in his memory the engagements (*muzāwilāt*) that belonged to him in which he was never forgetful of himself."[451]

Therefore, self-awareness and being present for oneself is the inevitable characteristic of the human soul that it has constantly with itself. If it happens

[443] Kauka, J., Kukkonen, T., 2007, 110.
[444] *Avicenna, al-Ta'līqāt,* §810.
[445] *Avicenna, al-Ta'līqāt,* §889.
[446] *Avicenna, al-Ta'līqāt,* §809.
[447] *Avicenna, al-Ta'līqāt,* §806.
[448] *Avicenna, al-Nafs,* 25, 324.
[449] *Avicenna, al-Ta'līqāt,* §44, 889, 882-87.
[450] *Avicenna, al-Ta'līqāt,* §329.
[451] *Avicenna, al-Mubāḥathāt,* §68; *Avicenna, al-Ta'līqāt,* §329.

that on some occasions someone is forgetful of it, that is because of the veil of the body that hinders the intellect to function properly.[452]

However, once we pay attention to this awareness of ourselves and make it as the object of our awareness, we enter into the second phase of self-awareness that Avicenna specifies as the *incidental awareness* (*shu'ūr bi-l-'araḍ*), *acquired awareness* (*shu'ūr bi-l-'iktisāb*), *potential awareness* (*shu'ūr bi-l-quwwa*) or *awareness of awareness* (*shu'ūr bi-l-shu'ūr*). In other words, once we get aware of the primary awareness of ourselves, we have made it the object of our awareness. Unlike the first kind of awareness which is essential and natural for the rational soul, the second kind is potential for us and acquired by means of a deliberative process in an intermittent way.[453] Therefore,

> "Being continuous, the self-awareness in question [i.e., the first kind] cannot mean reflective self-awareness in any objectifying sense. States of reflection are intermittent and have a relatively short duration within the more extensive span of the whole of our mental existence. [. . .] Avicenna discusses this access in terms of Aristotelian proximate potentiality, or potentiality 'close to actuality'."[454]

Both kinds of the aforementioned awareness that Avicenna ascribes to humans result from the intellect. As a result, we can conclude that:

1. Self-awareness as the characteristic of the intellect is specific to humans that is immaterial and the natural and absolute awareness just belongs to humans. Animal souls, due to the lack of intellection, are material and might not possess both kinds of self-awareness. Because, "unlike the human soul, the animal soul is not immaterial. They might not apprehend themselves."[455]
2. All immaterial things are self-subsistent and beings-in-themselves. Such an entity is always present for itself. Therefore, the human's rational soul, which is immaterial, is self-subsistent and always present for itself.[456] In contrast, both the plant and the animal soul "are the material forms,"[457] which, unlike the human soul which doesn't inhere in matter, are "imprinted and reside (*mutaḥayyiza*) in the body and form the body's faculties."[458] Although, he adds that, it is not true that, "all things without their essences belong to them, they do not apprehend themselves,"[459] such an entity "apprehends its essence, however, it is not an ideal (*ma'nawiyan*) rational [self-apprehension]."[460]

So, if animals might not possess both kinds of self-awareness, then in what sense of the word can they be self-aware, as Avicenna speaks of the animal self-awareness in various passages?

As I have already mentioned, Avicenna's view on animal awareness and self-awareness does not seem to be consistent enough. For instance, in his earlier and more systematic works like *Shifā* or *Najāt,* during a discussion on the denial

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[452] *Avicenna, al-Ta'līqāt*, §538; *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 250.
[453] *Avicenna, al-Ta'līqāt*, §44, 350, 803,807, 882-89.
[454] Kauka, J., Kukkonen, T., 2007, 109-10.
[455] *Avicenna, al-Ta'līqāt*, §347.
[456] *Avicenna, al-Ta'līqāt*, §948.
[457] *Avicenna, al-Ta'līqāt*, §242.
[458] *Avicenna, al-Ta'līqāt*, §537.
[459] *Avicenna, al-Mubāḥathāt*, §511.
[460] *Avicenna, al-Mubāḥathāt*, §670.

of transmigration, after refusing to accept the relation between the body and the soul in terms of imprinting (*'inṭibā'*), he refers to the existence of self-awareness for all animals as apprehending themselves as a unified subject:

> "the relationship between the soul and the body is not in the sense that the soul is imprinted in the body, but in the sense that the soul is occupied with the government of the body so that it is aware of that body and the body is influenced by its actions. And every animal is aware that he has a unique soul which governs and controls him, so that if there be another soul of which the animal is not aware, neither is it aware of itself, nor does it occupy itself with his body, for the relationship only subsists in this way. Thus there cannot be transmigration in any sense."[461]

Unlike in the *Notes*, as we saw earlier, that he repeats over and over again the claim that the animal soul works like the form in the body, and unlike the human soul, it is imprinted on the body, here, he sees the relationship between the body and the soul other than imprinting, and thinks of the self-awareness as essential for the animal soul. However, in the *Notes*, he says, "if I apprehend my-self and know that I am the subject, here the subject and the object are the same. And this is a human characteristic. The human is the only animal with self-awareness. The rest of the animals are devoid of it."[462] The hesitation from him regarding acknowledging self-awareness for animals becomes more clear when Bahmanyār, his disciple, asks him a question on the animal self-awareness that, "might the other animals –other than human- be aware of themselves, if so, how is it proved?" And he responds,

> "I need to think about it, and perhaps they are self-aware through the [bodily] organs (*āla*), or maybe there is an awareness by means of a common thing that oversees (*'iṭlāl*), or maybe they are just aware of what they sense and imagine, not of themselves and their faculties and the activities of their internal faculties. So I need to think about it."[463]

Consequently, providing a consistent picture of his views on animal self-awareness seems to be a difficult job. However, I should attempt to do it in terms of his system of thought by following the major lines of interpretation in the existing scholarship in this case, though with more explications. Finally, I need to be more precise about the mechanism of how an estimative self-awareness might look like, as Avicenna ascribes to other species of animals, the thing that hasn't been entirely elaborated in the existing scholarship on Avicenna on the animal self-awareness.

In responding to the question of, "what proof is there that our self-awareness, like that of the animals, is not mixed-up (*makhlūṭ*)?"[464] Avicenna says,

> "I ask God for success. When we are aware of ourselves as a whole (*bi-jumla*), we are aware of it as a unity and as a compound of units, and we are aware of each one as distinct from the other. It is possible that one time the essence of this unity is represented in us as a whole, regardless of the other [bodily] parts; as it is likely [in other time] each of those units become as the object of [our] awareness by themselves,

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[461] *Avicenna, al-Najāt, Rahman trs,* 64; see also: *Avicenna, al-Nafs*, 298.
[462] *Avicenna, al-Ta'līqāt*, §325. In very general terms, by self-awareness here, Avicenna means some kind of reflective or second-hand self-awareness that the subject is aware of its subjectivity, as the details about it should become clear shortly.
[463] *Avicenna, al-Mubāḥathāt*, §289-90.
[464] *Avicenna, al-Mubāḥathāt*, §502.

> in terms of abstracting of their [bodily] concomitants, that is, regardless of conjunction, while being seen without the [material] concomitants."[465]

In other words, here he acknowledges that, unlike the animal self-awareness that is mixed-up, the one for us is not like that. It is un-mixed, because we can apprehend ourselves as a whole without the bodily concomitants or conjunction. This is in line with the thought experiment of the floating man according to which we can apprehend our essences, regardless of any external and internal perceptions. Therefore, the mixed-up self-awareness should be an awareness that the subject apprehends itself along with the units of which it is composed. When he responds negatively to the question of, "is there any part in animals that might be the subject and the object of awareness,"[466] and that, "for them [animals] the subject and the object of awareness are not identical, but rather the subject (*shā'ir*) is a part of the object (*mash'ūr*),"[467] he emphasises this point. In other words, due to the lack of the intellect as an immaterial substance in which the subject and the object of awareness are identical, animals are aware of themselves just through and mixed up with their bodies and sensations. This kind of self-awareness might be called primary, or borrowing the term from modern phenomenology, the pre-reflective self-awareness.[468] So to speak, since every perception occurs to a subject, animals are self-aware as far as they have a perception, because to realize any perception, it needs a percipient or a subject as "the unity of experiences,"[469] that is always present in relation to an object.[470] "Non-human animals, human animals and pre-linguistic human animals share primitive self-awareness."[471] Accordingly, Avicenna takes the case of donkey as an example into this approach, as he says,

> "when a thing is perceived, the perceived (*mudrak*) becomes present for it [i.e., the subject] - whether the perception is mixed-up or not. And when the donkey apprehends himself [or his essence] in a mixed way, therefore, his essence must be present in him accompanied by the mixed-up (*mukhtaliṭ*). So, the donkey's essence should be with himself in all cases all at once, and it is immaterial also. This is not something that we can deny."[472]

Regardless of the last claim from him regarding the immateriality of the donkey's self that seems to be contrary to his former claims that the animal soul is a material form, the main point that he emphasises here seems to be that the donkey's self-awareness occurs along with his perceptual objects. In other words, the mixed-up self-awareness is a kind of awareness by means of the sense perception and through the body.[473] This kind of self-awareness is crucial for animals because to preserve themselves, they need to be aware of this or that specific body as their owns. In other words, if all animal behaviors are somehow

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[465] *Avicenna, al-Mubāḥathāt*, §503.
[466] *Avicenna, al-Mubāḥathāt*, §504.
[467] *Avicenna, al-Mubāḥathāt*, §505.
[468] Kauka, J., Kukkonen, T., 2007, 106.
[469] Lopez Farjeat, 2012, 62.
[470] Kauka, J., Kukkonen, T., 2007, 105; Alwishah, 2016, 93.
[471] Lopez Farjeat, 2012, 131.
[472] *Avicenna, al-Mubāḥathāt*, §665.
[473] *Avicenna, al-Mubāḥathāt,* §665; Alwishah, 2016, 75-6.

a reaction to environmental impulses, behind all the desires and repugnancies from them, there always should be a kind of self-awareness in the form of awareness of the body. This helps animals to preserve themselves from harms and threats.[474]

However, if we humans are self-aware due to the rational soul, how is it possible for non-human animals to be self-aware? Answering this question makes clear the other aspect of mixed-up feature of animal's self-awareness for Avicenna. He says,

> "know that the human soul is self-aware, and the other animals' soul is self-aware through the estimation in the estimative organ. As it is aware of other objects by means of the sensation and the estimation that are in their corresponding organs. [. . .] and the estimation is the faculty through which the soul apprehends itself neither by itself nor in its organ which is the heart, but rather in the estimative organ through the estimative faculty, as it apprehends the other intentions through the estimation by means of the estimative organ. Therefore, its essence (*dhātihī*) becomes present there twice, one time in the self's organ, and the other time in the estimative organ, and the animal apprehends itself as far as it is in the estimative organ."[475]

Therefore, for him, the animal apprehends itself by means of the estimation. Consequently, like the other animal perceptions which occur through some bodily organs residing in the brain, the animal self-apprehension that is realized through the estimative power, is performed by means of the estimative organ and in mixing with it. Thus, unlike the human self-awareness that is performed immediately and by no bodily means, the animal self-awareness results from the mediation of the estimative faculty and its organ.

The next thing that might show the mixing characteristic of the animal self-awareness is related to its mechanism through the estimation. As we already saw in our discussion on the estimation, it always apprehends the insensible intentions accompanied by the particular sensible images. That is, the animal might not have any apprehension of the hostility alone, but rather through a particular image, like the hostility of this or that wolf. Similarly, the animal cannot have any apprehension of itself without accompanying particular experiences. As a result, a condition of the so-called floating animal in which the animal apprehends itself without having any external or internal perceptions should not be the case, as they cannot have any apprehension of the hostility or affinity alone.[476] This is why animals always find a sort of particular estimative intention of themselves by means of their estimation and together with a particular perception. This self-awareness always occurs within the sense, imaginative or estimative perceptions. Unlike humans, consequently, the animals in a dreamless deep sleep should not be self-aware, because there does not exist any perceptual objects for them in relation to which they are aware of themselves. This is why, he says that, unlike the intellect, "the estimation neither estimates itself nor establishes it nor is aware of it."[477] In other words, the estimation, unlike the intellect, due to its corporeality can not be reflective and

[474] Lopez Farjeat, 2012, 70; Alwishah, 2016, 90-2.
[475] *Avicenna, al-Mubāḥathāt,* §519.
[476] Alwishah, 2016, 77-8; Lopez Farjeat, 2012, 131.
[477] *Avicenna, al-Mubāḥathāt*, §657.

self-aware essentially. Its awareness should be always accompanied by and in a relation with a particular perception.

However, this kind of apprehension for animals is not just limited to self-awareness. In a discussion on difference (*ghayriya*) and identity (*huwa huwyia*), in compliance with the claim of Shaykh Abulqāsem Kermāni for the apprehension of difference and identity in animals, he thinks of "animals as having the incidental difference and identity, not the essential one."[478] Then, he adds that, "if the beasts apprehend the particular identity and difference, this should not surprise you nor contradicts any truth, because what is the rational identity and difference is the immaterial kind."[479] In other words, like self-awareness and the other estimative intentions that are apprehended with a particular image and incidentally, the apprehension of the difference and the identity is just conceivable for animals as the particular intentions, not as the rational conceptions in themselves.[480] For apprehending them as rational conceptions occurs just through names and the named (*musammā'*) in speech, which animals do not have. For, as we saw earlier, he thinks they lack language understood as a conventional system of signs. On the other hand, apprehending the difference and identity in terms of species, genus or universal property results from comparing various things and abstracting their essences of which animals are devoid.[481] While regarding animals, "there exists for them a judgment -of agreement or disagreement- toward others, so this judgement exists for them if they could consider and think about it [identity and difference]."[482] Like when a lamb, for instance, "sees her mother and has affection toward her, however, by seeing the wolf escapes from him, and never treats both in the same way, [. . .] and this is considering something other than something else … ."[483] So to speak, apprehending the difference and the identity for animals occurs in terms of the particular estimative intentions and in relation to the various animals' perceptions.

As we have already seen, unlike the intellect, the estimation lacks reflexivity. This can explain the absence of essential self-awareness or the difference and identity for animals. In other words, animals just possess the incidental passive form of self-awareness in terms of particular intentions which are realized within the process of external or internal perceptions, i.e., they do not possess them by themselves without accompanying material concomitants. This point, I think, can explain the lack of recollection or the active process of remembering for animals as well. One can say, animals are devoid of direct and deliberative access to their mental contents through which they can actively retrieve something from their memories. Having direct access to the mental contents and retrieving them seems to come out of the reflective characteristic of the intellect that the estimation lacks. For instance, the sheep just apprehends the

[478] *Avicenna, al-Mubāḥathāt*, §246.
[479] *Avicenna, al-Mubāḥathāt*, §250.
[480] Alwishah, 2016, 94-5.
[481] *Avicenna, al-Mubāḥathāt*, §246.
[482] *Avicenna, al-Mubāḥathāt*, §248.
[483] *Avicenna, al-Mubāḥathāt*, §249.

hostility of the wolf incidentally when confronting the wolf; whereas we humans might retrieve it deliberately, whenever we want, without having an actual confrontation with the wolf.

Summing up the discussion on the animal self-awareness, for Avicenna, while the human self-awareness arises from the immaterial characteristic of the rational soul that is present to itself immediately, essentially and without any relationship with the body, however, that of the animals occurs in a mediative way, incidentally, by acquisition and together or mixed-up with their bodies. In fact, the animal self-awareness and that of the humans are similar only in names, because while humans can direct their attention to themselves as the perceptual object, the animals lack this ability, and just have an estimative apprehension of themselves along with external and internal perceptions. Once the perceptual object is missing, like in a state of deep sleep, the animal's awareness of itself as the subject, as the other side of the relation, would disappear too, because like the brotherhood or fatherhood that always exist as relations, when one side of the relation is missing the other side goes too.[484]

However, given our discussion of the lack of time perception in animals and their being bound to the present moment, as well as their self-awareness being tied just to sense perceptions, we can ask the following question: do animals have any unified self behind all of their experiences, in such a way that connects all of their varied perceptions over time to a single subject, or is it the case that they just have dispersed selves without any connection among them? Avicenna does not have any explicit response to this question. We saw that he thinks of animal self-awareness and identity and difference as the particular estimative intentions. However, this is not the case regarding the time perception, that is, there does not seem to exist any evidence from him that ascribes the perception of time in terms of particular estimative intentions to animals. As we already saw, if we ascribe time perception to intellect, as he does, he would deny the perception of time for animals in the absolute sense of the word. In this case, all of their perceptions occur just in a relation with *now*, then there should not exist any continuation between their different experiences and each of them seems to occur to a subject different from the next one. For instance, when the animal goes to sleep, it seems that it cannot relate between its existence before sleeping and the one after sleeping, because this entails a continuation of existence over time that sleeping interrupts. If we also attribute time perception to common sense and see some kind of temporal experiences for them, however, as I showed earlier, it should just be understood in a very limited way bound to the present moment, not longer durations, like hours, days and so on. This is why perceiving time, at least in the realm of material animal souls, seems to be a requirement for a unified self.[485] This might also be a further reason for why Avicenna does not think of

[484] Kauka, J., Kukkonen, T., 2007, 111; Alwishah, 2016, 95; Lopez Farjeat, 2012, 133-34.
[485] But regarding incorporeal things, like intellects, having a perception of time doesn't seem to be a requirement for perceiving themselves as unified self, because they are not material so that to be a subject to a gradual existence. They are atemporal and exist for themselves all at once. Unlike material things that they exist in a gradual process. A unified

non-human animals as moral subjects with some responsibilities, that is, as the agents that might be rewarded or punished morally or legally. In other words, if there is not any stable self behind the animals' actions, how can they be punished for something that within the next few minutes or hours the animal cannot even remember it as its own action? Why should its current self be punished due to a wrong-doing from its past self, while they are completely detached?

Nevertheless, we already saw that he maintains the existence of quasi-experimental perceptions for animals, a thing that requires a sort of continuation with its existence in the past. Alwishah in his article *Avicenna On Animal Self-Awareness, Cognition and Identity* tries to justify it in Avicennian psychology without referring to perceiving a past experience by the animal, as in the case of the dog who escapes from a man with stick, in fact, the dog, "does not recall the stick that beat him, nor the circumstance of the beating; but [. . .] imagines being beaten as if he were being beaten now, in the present."[486] However, I think this explanation still requires that the dog implicitly relates his current perception of the man with a stick to the perception of pain raised by beating in the past. Otherwise, why does the image of a man with stick specifically remind him of the intention of the pain, rather than, say, the image of a man with a bone? It seems that it is because the dog finds it related to his experiences in the past. In fact, connecting between the current experiences and the past ones entails a continuation of awareness and a unified self.

2.8 The moral status of animals in Avicennian ethical theory

Having investigated and reconstructed Avicennian philosophy with the focus on the abilities and in-abilities of animals, now we can pay our attention to the main question of this study, i.e., the moral status of animals in his ethical theory. However, before going through that, we need to know more about his ethical theory in general.

As we saw earlier, practical wisdom is subdivided into moral temperaments or self-managing, managing the households or how to treat the household members, and finally, how to manage the community as a whole or politics. Thus far, what we have talked about has been more about these two divisions of practical wisdom, i.e., managing others, or how to treat other persons. Following this distinction that he makes, we can think of two different approaches in his ethical theory, *the ethics of character*, and *the ethics of conduct*. Avicenna's view on the ethics of character is a combination of Platonic and Aristotelian virtue ethics. He says that, regarding ethics "human knows that how his moral temperaments and conducts should be so that his worldly existence

self, in fact, works to unify all these parts into an interconnected experience, or an *I*. So, regarding material things that exist gradually, perceiving time should be a prerequisite for having a perception of themselves.

[486] Alwaishah, 2016, 80

and afterlife become happy, and Aristotle's work on ethics deals with it."[487] Therefore, happiness (*sa'āda*) is the ultimate good that is the same as the intimacy with God by means of "the soul becoming rational."[488] To attain happiness, humans have to reach virtues. In the *treatise on ethics*, following the main activities of the soul, he enumerates four main virtues of the practical wisdom that are, "modesty (*'iffa*), bravery (*shujā'a*), wisdom (*ḥikma*) and justice (*'idāla*); modesty is for the appetitive power, bravery for the irascible, wisdom for the discriminative power [i.e., the intellect], and justice as the virtue that results from the perfection of each of these faculties in a virtuous state."[489] The virtue here should be understood in the Aristotelian context, as the mean between the excess and deficiency both of which are seen as vices. The virtue of rational power, wisdom, is realized when humans reach the mean by taking the animal faculties under their control, that is, when the bodily faculties are brought under the control of the intellect. However, when the reverse happens, and the bodily faculties grab the intellect into their control, the vices prevail.[490] Avicenna thinks of the mastery of the rational soul over the bodily faculties as transcendental disposition (*hey'at al-'isti'lā*), in the sense of an elevated state of the bodily affections, which is to reach the *habituation of the mean.*[491] Therefore, being moral, for him, is the same as being virtuous. On the other hand, regarding the ethics of conduct or how to treat others with which household ethics and politics deal, we can see some kind of religious *deontological* approach from him.

As we saw earlier, for Avicenna, ethical premises are widely-accepted opinions, i.e., the kind of premises that are not out of sensation, estimation and the intellect. In other words, none of these faculties by themselves issue ethical judgments or propositions, and they are essentially out of customs, and cultural and religious communities. At the same time, we found that they might not be rational in the sense of syllogistically demonstrated too, and in the best possible way, they might not be certain propositions reflecting the state of affairs, but presumptive statements whose values might vary depending on their contexts. On the other hand, we found that, for him, two requirements of a moral act is believing in God and his messenger. In this case, morality without an external authority in the sense of a mighty judge who watches our deeds and judges them duly in an afterlife to punish and reward them, is seen as foundationless and without the necessary basis. This is why Avicenna thinks of the religious law which is brought about by a prophet from God as the final source of justice and the basis of our moral judgements, a prophet-lawgiver who might be correspondent with Plato's philosopher-king,[492] that was embodied in the character of Muḥammad and the Qurān and the tradition (*sunna*) as the religious law. Therefore, the moral principles, in a final analysis, seem to be nothing more

[487] *Avicenna, Tes'a Rasā'il Fī-l Ḥikma wa Ṭabī'iyāt*, 107.
[488] *Avicenna, al-Birr wa-l-'Ithm*, 355, quoting from Atrak, 2014, 31; McGinnis, 2010, 210.
[489] *Avicenna, Tes'a Rasā'il Fī-l Ḥikma wa Ṭabī'iyāt*, 152.
[490] *Avicenna, al-Nafs*, 62.
[491] *Avicenna, al-Birr wa-l-'Ithm*, 355, quoting from Atrak, 2014, 31.
[492] McGinnis, 2010, 9, 209, 211.

than the *received* propositions from the prophet that as a combination of obligations, they have been reflected in the religious law.

However, regarding Avicenna's ethical theory, it seems to me that we can find two different approaches to morality and justice. According to the ethics of character, as found earlier, justice is the mean that results from the mastery of the rational soul over the animal faculties, and a moral character is a virtuous person who performs the right actions due to knowing their intrinsic values, rather than for the sake of some other external goals, as Avicenna says, "the good intention is the reason for virtue and perfection."[493] In contrast, in the sphere of ethics of conduct, the origin of justice is not the intellect, but the will of a prophet-lawgiver who has come from God and specifies the moral judgments. In this case, a moral conduct is the one that the person performs out of obligations and a knowledge to the punisher and the lawgiver,[494] not necessarily due to their intrinsic values. In other words, on the one hand, he acknowledges the intrinsic good and evil, and on the other hand, the religious or divine good and evil. If, for example, according to the former, lying is always evil or bad by itself, irrespective of its source and the consequences that it might result in; in contrast, according to the latter, lying is evil or bad because the prophet-lawgiver from God has ordered in this way. We humans believe in them not out of our intellect, but since they come from trustworthy sources. In other words the epistemic status of moral principles for us is not out of intellect but out of our belief in the prophet.

Regarding the morality of treating animals, it is just in one case, under the topic of ethical premises as widely-accepted opinions, that Avicenna explicitly talks about the moral treatment of animals.[495] In *Pointers and Reminders*, as an instance of widely-accepted premises, he says,

> "human, by following the intellect, estimation or sensation, does not reach the judgments like stealing is ugly and lying is ugly and not to be done. And the judgment of the ugliness of animal slaughtering (*dhibḥ*) is like them, which is already present in the estimation of many people, though the religious law, *following the compassionate (raqqa) instinct*,[496] prohibits many of them whose instinct is like that to do that, and this is common for the majority of people ... ."[497]

Here, Avicenna refers to the ugliness of animal slaughtering as a widely-accepted premise. A moral judgment like not killing animals, and not harming them too, is not out of sensation, estimation and the intellect, but comes from the compassionate instinct that already exists in the estimation of the majority of

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[493] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 435.
[494] *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 357.
[495] Bethany Somma has tried to show the possibility of Avicennian animal ethics on the basis of his metaphysics and his idea of divine providence (ʿināya) and mercy, without talking about the exact implications of how an Avicennian animal ethics looks like, the thing that I try to respond shortly. According to Somma's article, the lawgiver on the basis of human perfection and justice and in accordance with the universal good would ensure the essential goods of animals in his legislation. But the article doesn't provide a good textual evidence from Avicenna in this case. I think the following passage from Pointers and Reminders can show how the compassionate treatment towards animals would be taken by the lawgiver (Somma, 2021, 26-29).
[496] my emphasis.
[497] *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 127.

humans. However, it does not seem by that he means the ugliness of animal slaughtering in the full sense of the word and something like becoming vegetarian. Because as far as such a proposition is seen as a widely-accepted opinion that the religious law also acknowledges, vegetarianism has never been a widely-accepted opinion in the Islamic religious sphere. Indeed, according to the Qurān, God has created animals for the sake of humans to serve them in different aspects. Therefore, the implications of his words should be limited in their usage.

For Avicenna, the widely-accepted opinions are conventional, in the sense that given a hypothetical condition in which we suppose ourselves created all at once without any affections, estimative intentions and sense perceptions, only with the pure rational power, we would not acknowledge any of these beliefs by our reason.[498] In other words, they are not like instinctual, innate (*fiṭrī*), natural beliefs or primary principles of the intellect, like 'the whole is greater than its parts'; they come from different conventional sources of customs, education, cultures and so on. However, he considers some natural dispositions in humans, like shame, compassion, abstinence, etc., as another source of these premises,[499] i.e., makes them dependent on a natural bases. However, it is not clear how these conventional premises are not innate or natural in us and at the same time are said to come from some natural human dispositions.

On the other hand, if the ugliness of animal slaughtering, as a widely-accepted premise, does not come from the intellect, sensation or estimation, how might we talk about it in terms of instinctiveness that following the compassionate instinct, is intrinsic for the estimation of the majority of people and the law also opts for it? This is the criticism that Ibn al-Taymīyah points out and finds Avicenna inconsistent in his ethical theory. That is, if the virtues and vices are only conventional and out of sheer repute, how could there be so-called natural virtues coming from, for instance, the estimative instincts? However, Deborah Black in her article *Estimation in Avicenna* tries to give a consistent explanation of Avicenna's view, without seeing any paradoxes in his analysis. According to her,

> "Avicenna's thought-experiments in his logical works do not deny that estimation has some role to play in ethical judgments, as the example of animal slaughter shows. What they do deny is that the link between estimation and ethical judgments is a natural one, stemming from estimative *fitrah* and giving ethical judgments a status analogous to the primary principles of the intellect. If human ethical judgments were of this sort, Avicenna claims, then they would be on a par with the instinctive fears and loves of animals, and impossible to doubt or to alter. Moreover, they would not vary from one individual to the next, at least, not in any significant degree."[500]

In other words, according to Black, the estimative virtues and vices result from the widely-accepted opinions of a society, and the estimation is conditioned in relation with the environmental, cultural context that it operates in. Or one can say, the estimation obeys the opinions that belong to the society, rather than it

[498] *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 127; *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 89.
[499] *Avicenna, Al-Ishārāt wa-l-Tanbīhāt*, 127.
[500] Black, 1993, 243.

being the case that the estimative virtues and vices arise out of the nature or instinct of the estimation. While this explanation seems to be valid regarding the second type of the estimative intentions that come from experience, as it can explain the case of hunting dog's estimative virtue or pleasure that the dog has learnt not to eat his prey and preserve it for his owner; however, regarding the first type of the estimative intentions that are instinctual, it does not seem to be true, like the sheep's instinctive aversion of wolf that for Avicenna is not acquired through the experience and the sheep has it congenitally. I think this reading from Black would be weakened more when we find that Avicenna talks about the natural virtues and vices for animals. As a result, if the ugliness of animal slaughtering results from *the compassionate instinct*, then it might not be conventional in terms of the widely-accepted opinion. An estimative intention, as far as it is *instinctive*, need not to be learnt. While Avicenna here explicitly indicates the ugliness of animal slaughtering as instinctive, following the instinct of compassion. This is why it seems that Avicenna is inconsistent in his claims and Ibn al-Taymīyah's criticism is pertinent.

To sum up, the question was: whether the ugliness of animal slaughtering is a widely-accepted opinion comes out of religious law and it is the religious law that makes the human estimation conditioned through a process of experience or learning (Black's reading), or in reverse, as I've tried to show, as the first type of estimative intentions, it results from the instinct of estimation that the religious law confirms and makes it as a widely-accepted opinion. I think the latter option seems to be the case. The main reason for this inconsistency, on the one hand, results from Avicenna's hesitation in acknowledging the natural or none-rational virtues, because he does not explicitly speak about them. At the same time, he recognizes one factor in forming the widely-accepted propositions, i.e., some natural dispositions in us that, unlike the other factors that indicate the conventionality of these propositions, indicates that they are natural to us. And on the other hand, due to maintaining two different approaches in his ethical theory, i.e., virtue ethics and a religious-deontological approach, the natural virtues do not have a clear-cut role in his ethical theory. So to speak, the compassionate instinct and following that the ugliness of animal slaughtering is one of those natural virtues. However, if we consider it as a widely-accepted opinion from religious law, we might not consider it instinctual for sensation, estimation or intellect.

Now we need to ask about the Avicennian criterion to include non-human animals into the sphere of ethical consideration. In other words, why should they be seen as the objects of compassion? In fact, it is not having the intellect or reasoning that is the criterion for compassionate treatment with animals; for such a power is just reserved for human species. On the other hand, there is no evidence in his works to show that plants might be seen as the objects of compassionate treatment. This is why we should seek it within the specifications of animal soul. I think, it should be having perception or being sentient that qualifies animals, rather than plants, to be seen for ethical consideration. Even though non-human animals fall short of having the rational soul, and

consequently they are not moral agents or subjects, it doesn't allow us to exclude them as moral objects, like the Cartesian view that entirely excluded them from the ethical sphere due to the lack of intellection from them. However, the implications of the Avicennian idea should be followed in the light of seeing the ethical propositions in terms of widely-accepted premises.

In a classification of different ethical theories regarding the status of animals, Tom Regan classifies them in two categories of direct-duty and indirect-duty views. Indirect-duty views deny our direct duties and obligations toward non-human animals for a variety of reasons (such as non-human animals are not created in the image of God, or they are not able to use abstract principles, or the idea that they have no consciousness).[501] He puts the Cartesian view in this category. In other words, if this view acknowledges some duties or obligations involving non-human animals, the main target of those obligations aren't directed towards them, but rather towards some humans whose interests might be relevant. For instance, according to this view, killing a dog is not seen wrong because the act of killing by itself is wrong, but rather since killing the dog can affect negatively its human-owner, it is to be seen as a wrong act. On the other hand, with regard to direct-duty views, it is the animals themselves that are the main target of our moral obligations, not for the sake of humans who may be affected by our acts towards animals. Regan puts the utilitarian ethical theory and another approach that he calls cruelty-kindness in this category.[502]

I'm mentioning this classification here, because it seems to me that the Avicennian ethical theory regarding non-human animals might be seen as the cruelty-kindness approach. According to this approach, the object of our ethical considerations would be everyone who can be affected cruelly or kindly. Animals are so, therefore we should consider them to bring into the ethical sphere. Although for Regan, who is entirely against almost all kinds of animal exploitations, compared to the indirect-duty approach, this view has the advantage of seeing other species of animals as the immediate objects of our moral concerns, however, it still suffers from another issue, that is, assessing people's acts with their moral characters or confusing people's characters with what they do in assessing an act as right or wrong.[503] In fact, Regan's main target of criticism here seems to be towards the approach that nowadays is known as animal-welfarism, according to which we may be allowed to use animals in different ways insofar as during that process we treat them kindly or compassionately. For example, we can raise and slaughter animals as long as during their life, the animals have a joyful life with the least suffering, and are killed without any pain. For Regan, since the act of killing by itself is wrong, because it treats animals as the means or instruments for our goals, nothing like having a compassionate treatment with them can make it right. It seems to me that this criticism might be the case for Avicenna's approach as well. Since treating animals in a compassionate way is a widely-accepted premise that the

[501] *Regan, Animal Rights, Human Wrongs*, 31-32.
[502] *Regan, Animal Rights, Human Wrongs*, 51.
[503] *Regan, Animal Rights, Human Wrongs*, 56.

religious law also promotes, and because using animals has never been fully prohibited by the religious law in the form of becoming a vegetarian, the implications of his view should be seen in a limited way. Therefore, we can use animals in different ways, as long as we treat them kindly.

However, what it is that allows us to use animals in different ways, but compassionately? I think there are two factors that play roles in giving us humans such permission. One factor that entitles us humans to slaughter animals and using their meat, though compassionately, seems to be related to the lack of having perception of themselves over time, as we already discussed in detail on animal self-awareness. Like Singer who thought *merely conscious* animals, i.e., non-persons with no perception of themselves over time, can be killed without pain and being used for their meat, since these kinds of animals have no interest in the future such that killing them would thwart their desire of continuing life, Avicennian animals seem to be in the same condition. As we mentioned earlier, for Avicenna, all animals have no perception of time, since he tied time perception with having intellect. At the same time, if we are allowed to talk about self-awareness in animals, it should be taken as some kind of perception of themselves just in a relation to a presently perceptual object, as I called it estimative self-awareness. Due to the lack of an ability to perceive time in general and the future in particular, the future cannot become an object of perception for animals and consequently they should not have any concern for it as well. They are just entrapped in the present moment. For Avicenna, this is the case for all kinds of animals with no exception, because intellection is only reserved for human species.

The other factor which seems to play a role is related to the Avicennian hierarchical scheme of being, as human species entertain the privilege of having the immaterial rational soul that gives them a superior status compared to other species of animals, and other species might not share with us this characteristic in any way. The lack of this immaterial substance from animals also explains why he sees animals without an after-life, which view can have significant consequences for his theory of theodicy. In other words, if animals perish away by death, how could their pain and suffering in this world be retributed?[504] In fact, although having the immaterial rational soul doesn't have any role in

[504] I'll discuss more in the concluding chapter about how this feature of Avicennian metaphysics seems to be explained as a speciesist approach. Even though Avicenna gives an account of a pervasive love in the whole nature to actualize themselves according to the species norms in the First (see: Somma, 2021, 10-11), however, by excluding animals and other species from having an afterlife, he inconsistently seems to contradict his teleological view regarding other species. In other words, if animals would be perishable afterlife, without any compensation of the inflicted pain and suffering in their worldly life, what would be the purpose of their lives? This speciesist approach of his metaphysics, I think, can be a big challenge for the moral status of animals in his philosophy, the issue about which Somma's article, in reconstructing animal goods according to Avicennian metaphysics, is completely silent. This is why, I think, Avicennian metaphysics cannot provide a good basis for a consistent animal ethics, and we need a different metaphysical framework towards more continuity between species. I'll discuss in the next chapter that Ṣadrian philosophy, in a quest for resolving issues raised from Avicennian metaphysics, can provide such alternative.

counting a creature in the realm of ethical concern, because it is sentiency that is the criterion, but it gives us humans a more superior ontological and epistemological status that can affect the moral status of non-human animals in different ways inferiorly. We will see in the chapter on Ṣadrā, even though he still preserves the doctrine of the hierarchy of existence, due to other elements of his philosophy, like existentialism or the primacy of existence, the gradation, the substantial movement, and the immateriality of imagination, he turns out to have different implications in his stance towards other species of animals.

2.9 Natural vices and virtues and some other remarks

In this part, I am going to focus mostly on Avicenna's zoological work, *al-Ḥayawān*, or the Animal. His *Ḥayawān*, like Aristotle's *De Animalibus*, is in nineteen books, suggesting that he follows the corresponding books of Aristotle, though in some parts, trying to modernize Aristotelian views with sections from his own *Qānūn*, the canon of medicine, like the theory of generation or some anatomical parts.[505] I think Avicenna's zoological work might be relevant to our current study in different aspects. Regardless of the topic of his work that is relevant to animals, there might be some evidences for attributing different kinds of traits to animals that we cannot find in his other works in this extent, especially natural virtues and vices to other species. On the other hand, we will see how he attributes other kinds of complex abilities to them that might undermine his strict demarcation between rational and irrational entities.

As we saw, according to the Avicennian-Aristotelian metaphysics, the distinction between species seems so decisive that the gradation might not be supposed in substantial forms. However, Avicenna speaks about humans "who are alike animals and the animals who are alike plants," though he immediately adds that the existence of these similarities does not mean that the animal falls under the species of the plants by its definition (*ḥadd*), entirely or partially which both seem impossible for him, but rather there are some properties (*khāṣiya*) in the animal that, in entities with soul, they just exist in plants. As sponges that even though like plants seem to be stationary, having a stable location, however, they still are motive in the sense of contraction and expansion which is peculiar to animals. Similarly, he thinks of human infants before they start intellection as similar to animals,[506] though unlike Ṣadrā as we will see in detail in the next chapter, it does not mean that the human infant belongs to the animal species.

As a result, in this sphere of the fixity of species, there could be some changes in a species that make a variety among them, but still within that framework. In fact, the changes are in the accidental properties with the same unchanging *sub-stance* which lies beneath. Following Aristotle, Avicenna considers two important factors that make variations in a species: a)

[505] Kruk R., 2002, 326.
[506] *Avicenna, Al-Ḥayawān,* 93.

environmental factors, as the different environments can make qualitative changes in one species of animals, like "four-legged animals in Egypt are bigger and birds are smaller. The reason for this, it is said, is the liberty of grazing and less hunting. Due to the few numbers of trees, hares are smaller."[507] And "mountains and plains give rise to different abilities in animals, as the male animals that live in plains are weaker than females living in mountains," or "in Libya, there could be found animals with more substantial differences, since due to the water scarcity, they gather into ponds and mate together"[508]; b) *gender factors*, as the differences in animal's gender might result in varied behavioral and physical characteristics in them. As "most of the females are more obedient and diligent, and more tamed, grievous and weaker, except for wolves and cheetahs, so we think their females are bolder. The temperamental distinction between females and males in humans is more clear … ."[509]

Avicenna ascribes other kinds of capabilities to animals that we can investigate as follows.

2.9.1 Inter-species relationships between animals

Along with the possibility of inter-species mating between animals, he thinks of some other capabilities between them that can be a sign of natural virtues in animals:

2.9.1.1 Companionship

Avicenna, following Aristotle, classifies animals according to their tameability or sociability (*'insī*): 1. tamable by nature (*bi-l ṭab'*), as just for human; 2. from the birth (*bi-l muwallida*), like cats and camels; 3. by force (*bi-l qasr*), like leopards; 4. untamable, like tigers. Though, he is not so determined about this classification and immediately shows his hesitation by adding that, "there seems for all species both the wild and the tamed, even humans."[510] While animals struggle with each other for various reasons, like for food or shelter,[511] however, "fertility might make some animals companions with some others."[512] Nevertheless, for him, friendship is not just limited to the members of a species,

> "[Aristotle] talks about some sorts of friendship among birds. I have seen the friendship and companionship between vultures and storks, and their friendship and company also with eagles. [Aristotle] said, foxes make snakes as their friends and live together between rocks. However, the hostility always exists between lion and leopard."[513]

He also talks about friendship between humans and animals, as talking about the human companionship with parrots and dolphins, "I have been told a series of

[507] *Avicenna, Al-Ḥayawān*, 108; see also, *Aristotle, The History of Animals*, 226.
[508] *Avicenna, Al-Ḥayawān*, 109; see also, *Aristotle, The History of Animals*, 226.
[509] *Avicenna, Al-Ḥayawān*, 111; see also, *Aristotle, The History of Animals*, 230-1.
[510] *Avicenna, Al-Ḥayawān*, 6; see also, *Aristotle, The History of Animals*, 5.
[511] *Avicenna, Al-Ḥayawān*, 111-13.
[512] *Avicenna, Al-Ḥayawān*, 111; see also, *Aristotle, The History of Animals*, 231.
[513] *Avicenna, Al-Ḥayawān*, 114.

stories about parrots from trustworthy people, and their love toward their owner, and their restlessness in the absence of their owner, and their envy toward a new parrot."[514]

2.9.1.2 Adoption

Another complex ability that he admits for animals is adoption and taking care of the children of other animals, whether in terms of inter-species or intra-species. For instance, he talks about how an eagle's chick "whose parents left it out is adopted by another bird known as Phene [bearded vulture],"[515] or about "a mare who lactates the orphaned calves."[516] All these examples seem to refer to admitting natural virtues, along with the rational ones as human specific, to other species. By these, he appears to acknowledge sympathy not just among the members of a species, but also in an inter-species scale.

As well as virtues, he also talked about some vices for animals. As for the eagle's chick that is fostered by Phene, he thinks of "envy, miserliness or bad manners" as the probable reasons for kicking them off by their parents from the nest, as they grow up, start to envy to food and fighting;[517] or talking about a bird that lays eggs into the nest of other birds, and they foster their chicks.[518] Here, we can see how he attributes the vice of deceit to animals. He also speaks about his own observations of how a magpie was playing with a hawk, and while he was surprised by it, "thinks of mocking as one of the instinctual behaviors of magpies."[519] Following Aristotle, he attributes "temperament and affections to animals, as the lion is patient and generous when he feels full; but has very bad manners when starving and during eating."[520]

Consequently, we can see how Avicenna attributes the feeling of concern towards others in other animal species. Quoting Aristotle, he relates the story of an injured dolphin captured by a man, to save it, other dolphins "headed to the beach so as to make an intercession for liberating the caught one". Or relating from Aristotle the story of a dolphin, "that was carrying a dead one with himself, swimming with him as if protecting him lest to be eaten."[521] All these examples show us how Avicenna admits the natural virtues and vices for animals.

Therefore, the natural virtues and vices come from the instincts and bodily stimuli, however, the rational ones come from the intellect and they are dependent on a *belief* in the intrinsic value of something. He thinks of the latter as the genuine virtues.[522]

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[514] *Avicenna, Al-Ḥayawān*, 139.
[515] *Avicenna, Al-Ḥayawān*, 83; see also, *Aristotle, The History of Animals*, 253.
[516] *Avicenna, Al-Ḥayawān*, 116.
[517] *Avicenna, Al-Ḥayawān*, 128; see also, *Aristotle, The History of Animals*, 253.
[518] *Avicenna, Al-Ḥayawān*, 83.
[519] *Avicenna, Al-Ḥayawān*, 112.
[520] *Avicenna, Al-Ḥayawān*, 137; see also, *Aristotle, The History of Animals*, 271.
[521] *Avicenna, Al-Ḥayawān*, 139; see also, *Aristotle, The History of Animals*, 275.
[522] *Avicenna, Dāneshnāmeh-ye ʿAlāʾī*, 434; *Avicenna, al-Nafs*, 264.

2.9.2 Animals as physician

Avicenna relates many instances, mostly from Aristotle, of how animals know the medicinal qualities of different herbs and other things for treating their diseases. As he says, "male deer, by eating so much crabs, they treat their bites from snakes," or "dogs that treat themselves with some herbs that they know," or "weasels before attacking the snakes they eat shaddock, because it smells obnoxious to serpents," and many others.[523]

[523] *Avicenna, Al-Ḥayawān*, 117-20; see also, *Aristotle, The History of Animals*, 237-8.

ساقیا می ده که مجلس شد دراز/ با مخالف زین نوا چندین مساز
آنکه گوشش نیست جز سوی بدن/ بهر او زین نغمه و دستان مزن
(ملاصدرا)

3 CHAPTER 3: ṢADRIAN ANIMAL PHILOSOPHY

To investigate Ṣadrā's position with regard to different subject matters, animals being among them, first we need to have a deep look into his metaphysics, and especially his ontology. Because FOR it is crucial for our understanding the more specific areas of his philosophy. This is why, in this part, I try to investigate his metaphysics by explaining and examining some of the most fundamental principles in his philosophical system, i.e., the doctrines of *existentialism*, *gradation of existence*, *relational existence of essences* or contingent things and *substantial movement*.

3.1 "Ṣadrian ontology"

The main theme of Ṣadrā's philosophical works that underlies all of his philosophical writings is the doctrine of existentialism, or the primordiality or principality of existence (*aṣalat al-wujūd*) over essence. In this section, I will try to explain its basic elements one by one, so that we have a better understanding of the broader metaphysical context in which deal with more specific issues (issues that we will treat later on).

3.1.1 Essence vs. Existence

To understand the Ṣadrian doctrine of existentialism against the so-called doctrine of essentialism (*aṣalat al-māhiya*), which he ascribes to his philosophical predecessors and contemporaries, we firstneed to become acquainted with an important distinction that philosophers in the Islamic tradition make between

essence or quiddity (*mahiya*) of a thing, and its existence (*wujūd*). It was Farābi who for the first time highlighted this distinction,[524] which was expanded by Avicenna, and Suhrawardī and Ṣadrā also developed it in their philosophies. In fact, Ṣadrā in the discussion of his existentialism, gives an important role to this distinction. Accordingly, there is a distinction between the essence and the existence of contingent things; or one can say that the essence of x is different from its existence. But what is essence? Following philosophers like Avicenna and Suhrawardī, for him, "for everything before us, there is an essence and existence, and the essence which is the thing we respond to the question of what it is, just like quantity which is the thing we respond to the question of how much is it, that the response is not except a universal concept."[525] Therefore, essence is the *whatness* of something, the thing that makes something as it is. For example, when we see a thing and ask what it is, the answer to this question, like human, horse, dog and so on, will determine its whatness or essence. According to philosophers, and Ṣadrā among them, as we will see shortly in more details, the essence of x is not the same as its existence, for the very simple reason that we have non-existent essences, like the chimaera, which does not exist but has an essence in our mind, and if essence and existence were identical, whenever we had an essence, it would have been existent too. Following this principle, what is of great importance regarding our discussion about existentialism is the question of which of the two, essence or existence, is metaphysically primordial, or pertains to the extramental world? In other words, is the extramental world a world of essences (essentialism) or a world of existences (existentialism)? This was the main question that had occupied Ṣadrā's mind.

However, before we go through investigating Ṣadrian existentialism, I need to mention that it seems that the first character who raised the question of the primordiality or mind-dependence (*'i'tibārī*)[526] of existence versus essence, or vice versa, was Ṣadrā's teacher, Mīr Dāmād. It was him who raised the question of which one i.e., essence or existence, is primordial, that is, extramental and real, and which one is just conceptual or mental; he says:

> "and since there is no duality between external truths [i.e., essences] and their external existences, because the external existence is not a concrete thing like black and white, as we have already mentioned in details in our philosophical works; then it would remain two possibilities: the first one is that, it is the external realities [i.e., essences] as the effect of the creator and the existence is a mental thing [...] and secondly, the effect of the creator is the very existence of external things and essences are mental, that the other way around is the truth and the latter is absurd."[527]

Finally, he chooses the option one, because he thinks that the second option, i.e., essences as mental concepts against the reality of existence entails two

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[524] Fazlur Rahman, 1975, 46

[525] *Mullā Ṣadrā, Shawāhid al-Rubūbiya,* 110

[526] Ṣadrā's idea of the primordiality of existence versus essence, as it will become clear shortly, is hugely dependent on Suhrawardī's discussion of *'i'tibārī* concepts. For a detailed discussion on the concept of *'i'tibārāt* (sg. *'i'tibār*) in Suhrawardī's Illuminationism, and the historical context of which it arose, see: Kaukua, *Suhrawardī's Illuminationism*, chapters 3 and 9.

[527] *Muṣannifāt*, *Mīr Dāmād*, volume 1, 504-7, quoting from Ubūdiyyat, volume 1, 113

absurdities. One is about the non-existence of essence qua essence or the natural universal (*al-kullī al-ṭabiʿī*) in the extramental world. The second one is that one conception as a single concept, i.e., existence, would be multiple, because if we suppose that the external world is filled with the multiplicity of existences, but at the same time, existence is a shared or joint meaning among this multiplicity (*'ishtirāk maʿnawī*), a single concept would be multiple, or a universal concept being particular at the same time, which is absurd.[528] In fact, since before Mīr Dāmād, philosophers had never explicitly articulated the question of the primordiality of essence or existence metaphysically, we cannot classify them as essentialist or existentialist in the strict sense of the word and there might be found the clues and signs for both approaches in them.[529]

However, despite these complexities, we might find traces of the debate on the matter in two interconnected discussions of their works. One is the controversies over the existence or non-existence of the natural universal or essences, and the other one is the non-distinction between existence and essence in the external world. With regard to the first subject, i.e., the question about the extramental existence or non-existence of the natural universal, almost all pre-Ṣadrian philosophers, including illuminationists and peripatetics, like Avicenna and his commentator Khājeh Nasīr, held that the natural universal exists extra-mentally i.e., within its members and individuals, and from this respect, we can trace back the essentialist doctrine to them. However, regarding the second question, it was Suhrawardī, for the first time, who investigated in details predications like existence, unity, contingency and so on, in his discussion on intentional objects (*'iʿtibār ʿaqlī*). He concluded that, since there is no distinction between essence and existence in the extramental world, existence is just an intentional object in the mind which has no reality in the outer world, and in this respect, we can see the seminal ideas of how existence has no extramental reality for him.[530]

Therefore, in general, none of the philosophers before Mīr Dāmād explicitly articulated the question of whether existence or essence is metaphysically primordial. And while Mīr Dāmād approached it in a direct way, however, it was with Ṣadrā that it found its real place.

3.1.2 Ṣadrā's denial of the extramental existence of all modes of essence

In general, Islamic philosophers, following Avicenna, make a distinction, with which Ṣadra agrees, between three ways an given essence may be considered. They are as follows: essence as positively conditioned (*bi-sharṭi-shay'*), negatively

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528 (*Ibid*.)

529 Ubūdiyyat, volume 1, 77-9

530 Suhrawardī says: "existence […] and by the same token, the mere concept of quiddity and thingness and truth and essence as such ('al- al-'iṭlāq), we claim that these are merely intentional predicates (al-maḥmūlāt 'aqliya ṣirfa) […] the same as with relations […] and non-existing things, like rest, are intentional thing […] and know that substance in the similar way is not added to the body in the extramental world […] blackness as well […] so they are nothing but intentional things" (Suhrawardī's Majmū'a Muṣannifāt, volume 2, 64-72; see also: Kaukua, Suhrawardī's Illuminationism, chapter 3; Ubūdiyyat, volume 1, 77-9).

conditioned (*bi-sharṭi-lā-shay'*), and non-conditioned essence (*lā-bi-sharṭi-shay'*). To understand the distinction, we can show it by an example. When we think of an essence with all of its particular properties as it is in the outer world, like this human as Zayd, or that dog as having white teeth, this is taking an essence into consideration conditioned with all of its particular properties (*bi-sharti-shay'*); on the other hand, if one think of an essence conditioned with none of those particular properties that we had already taken into consideration, and thinking of them just in a universal way, like human, dog and so on, here we consider the essences conditioned with nothing else but the essence itself (*bi-sharṭi-lā-shay'*). Finally, once we think of an essence neither positively conditioned, in the first sense, nor negatively conditioned, in the second sense, this would be taking it into account in a non-conditioned way. Therefore, the latter mode is neither the first nor the second, but its own mode which is more general than the two others and includes them.[531] Then, an example for this essence is human or dog non-conditioned, whether by existence, non-existence, unity, multiplicity, genus or differentia and so on. It was in this third form that Islamic philosophers called it *natural universal* and what had occupied their minds was that in what sense of the word the essences might exist.

According to Avicenna and most of pre-Ṣadrian philosophers, it is the positively conditioned essence with all of its external properties, i.e., essence in the first sense, which exists in the extramental reality, and as we already found, perception for Avicenna was the presence of the form (or the essence) of a thing out there for the percipient**.** Therefore, for Avicenna, the essence of Zayd comes from outside into the mind, and this would entail that it is extramental. However, for him, the extramental existence of essences is not just limited to the first sense of essences. For Avicenna, the relation between positively conditioned particular essences with non- conditioned ones is like the relation between a whole and its parts. For, as he states, "the particular animal … is animal [accompanied] with [particular] things … and it is obvious if animal exists with [those particular] things, animal [i.e., the natural universal] is also present in them, like a part of them,"[532] and then he concludes that, "if this individual is a particular animal [i.e., positively conditioned animal], therefore, a certain animal exists, then the animal which is a part of this certain animal [i.e., non conditioned animal, or the natural universal] exists [as well]."[533] Thus, Avicenna from the existence of the particular essences concludes the extramental existence of the natural universal essences as well. However, as we already learned, Mīr Dāmād, to the contrary, from the extramental existence of the natural universal concludes the extramental existence of particular individual essences and gives the primordiality to essences over existence.

It is against this background that Ṣadrā expounds his own discussion of existentialism and essentialism. First of all, unlike Avicenna and his teacher, Mīr Dāmād, he defines the universal or the essence as "something representative

[531] *Tabātabā'ī, Bidāyat al-Ḥikma,* 57-58
[532] *Avicenna, Shifā, ilāhiyyāt,* 203
[533] *Avicenna, Shifā, ilāhiyyāt,* 204

(*mithālī*) and cognitive which does not exist independently in the world and is a kind of shadow."[534] With regard to his opposition to Avicenna, he says,

> "the truth is that the relation of these universal conceptions and the representative natures of existences [i.e, essences] in the sense of their unity (*'ittiḥād*) with the existing identities [existences] … is not like what Shaykh [i.e., Avicenna] said in the sense that, even if they [essences] are not existent or non-existent by their natures, they are existent in the reality, but rather, [the truth for us is that] the meaning of their existence is that they are unified with existence [and come into existence]."[535]

Hence, Ṣadrā, at the first step, denies the extramental existence of the universals, natural universals or the non-conditioned essences. According to him, this form of essence is not something more than a merely mental form which has no place in reality. In fact, since by its nature it is so undetermined that it is neither existent nor non-existent, unitary or multiple, genus or differentia and so on, such an undetermined thing might not have any share in existence unless it is unified with it. The essence by itself is so unspecified and universal that it is not be determined or particularised, unless through existence. Therefore, for Sadra, it is existence that brings about particularity, individuality and unification. He says, "the truth for us is that the essence as it is [i.e., natural universal] is not existent by its own nature; but rather what is existent by its nature is the individual and what is individuated by itself … then, the essence by unification with what is existent and individuated by its own nature [comes to existence],"[536] and adds that, "it is existence which is existent literally, and specified by itself, while essences are abstracted from existence and accidental [i.e., existing figuratively] and abstracted from the existence that belonged to them."[537]

Ṣadrā not only refuses to accept the extramental existence of non-conditioned universal essences, but also he denies the reality of particular essences as well. For if we have already acknowledged that it is existence which specifies and particularises the essences, then if we are to think of particular essences as real and extramental, then we'll end up ascribing specification to essences again. But this goes against our initial supposition. Therefore, unlike Avicenna who, from the extramental existence of particular specified essences, concluded to the existence of unconditioned universal essences or the natural universal, Mullā Ṣadrā, in contrast, goes from the non-existence of the latter, considering it as just a purely mental existence, to the non-existence of the former, that is, the extramental existence of particular essences. For Ṣadrā, following Fārābī, individuation, specification, being real and unitary, all are the characteristics of existence, while essences just have a mental status that can be predicated to existences in the mind, as he says, "the true [nature] of things is their particular existences which are the forms of things and the identities of entities, and the essences are universal conceptions corresponding to the external

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[534] Fazlur Rahman, 1975, 46
[535] *Mullā Ṣadrā, Sharḥ wa Ta'liqe-ye Sadr al-Mute'allehin bar 'Ilāhiyāt-e Shifā*, Volume 2, 837, quoting from Ubūdiyyat, volume 1, 97
[536] *Mullā Ṣadrā, al-Ta'liqāt 'alā Sharḥ Ḥikmat al-'Ishrāgh,* 49, quoting from Ubūdiyyat, volume 1, 95
[537] *Mullā Ṣadrā, Shawāhid al-Rubūbiya,* 133

identities."[538] Or one can say, the relation between the extramental reality and specification, individuation is identity; however, the relation of the extramental reality and essences or universals is just predication in the sphere of the mind.[539] In fact, unlike Avicenna who thought of existence as an *accident* of the essence, that after unification with essence and its accidents, it could be specified; however, following Fārābī, who was the first one who introduced the distinction between essence and existence and thought of existence as the cause of the individuation, Ṣadrā considered existence as the cause of individuation as well.[540] He says,

> "the individuation is not acquired unless by existence, as the second teacher [i.e., Fārābī] believed. As we mentioned earlier, the entire existence is self-specified and determined, and any existent, regardless of its mode of existence, from the perspective of intellect, does not refuse to share among the multiplicity of individuals, even though we add to it thousands of determining factors (*takhṣīṣ*)."[541]

3.1.3 Ṣadrā's refutation of existence as metaphysically secondary

We already mentioned that the seminal idea of existence as mental and just existing in the mind could be traced back to Suhrawardī's discussion of distinction between essence and existence in reality. Therefore, for Suhrawardī, existence is just a mental form or conception that does not have an extramental existence.[542] Then, the distinction that we make between essence and existence is just a distinction in the mind; therefore, the reality consists of essences like black, white and so on, and we just conceive the existence as a concept from them mentally. This is why, for him, the outer reality is composed of essences. He has argued in his work *Talwīḥāt* that, if essence was to exist after unifying with existence, existence would then have existed per se and independently; or if essence was to exist together with existence, then essence would exist together with existence and not through existence and therefore would acquire this second existence.[543] Further, "[Suhrawardī] enunciated a general principle that every general concept like existence, contingency, unity, etc., whose nature is such that, if a corresponding factor or form is assumed to exist in external reality, this will lead to infinite regress, it must exist only in the mind and not in external reality."[544]

However, the idea of existence as a mental conception, for illuminationists and Suhrawardī should be understood against the peripatetic idea of the actual composition of things of essence and existence. For example, Avicenna thought of everything as composed of essence and existence, and essences before unification with existence have their own independent existence in the reality.[545]

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[538] *Mullā Ṣadrā, Asfār, volume 5,* 2, quoting from Ubūdiyyat, volume 1, 95
[539] Ubūdiyyat, volume 1, 95
[540] Fazlur Rahman, 1975,46
[541] *Mullā Ṣadrā, Shawāhid al-Rubūbiya,* 113
[542] *Suhrawardī's Majmū'a Muṣannifāt*, volume 2, p, 71
[543] Fazlur Rahman, 1975, 32
[544] Fazlur Rahman, 1975, 27; see also: Kaukua, *Suhrawardī's Illuminationism*, 63-68.
[545] Fazlur Rahman, 1975,34

However, for Ṣadrā, both of these views are dependent on a big misunderstanding which might be called essentialism. Because both of the mentioned views think of essences as having an independent nature by themselves, while in the discussion of all modes of essences, we found that essences by their own nature are purely undetermined and just exist in the mind. Without existence, no essence would come into being. Ṣadrā's views about the relation between essence and existence are against Suhrawardī's, because unlike him who thought of existence as a mental conception, and essences as real, Ṣadrā conversely argued for essences as mental and existence as real. In fact, what is real and extramental is existence and *the modes of existence* which, when they are reflected in the mind, manifest themselves as distinct essences. At the same time, Ṣadrā finds Suhrawardī's criticism inconsistent, because on the one hand, he thought of existence as a universal and mental concept, and on the other hand, took God and the human soul as pure existence, which consequently would require him to take God and the human soul just as mental things without any reality.[546] His views in this case are against Avicenna and Muslim peripatetics, because while they took an independent status for essences, regardless of their unification with existence, for Ṣadrā, essences are not anything except the modes of existence, without having any independence.

3.1.4 Ṣadrian existentialism

So far, we have found what Ṣadrā meant by the term *aṣālat* or primordiality. When we ascribe primordiality to essence or existence, we mean which one is existent by its own and which one has an accidental existence or is secondary. And if one of them is *aṣīl* and the other one is *iʿtibārī*, this means that what is primordial is real and that of which the extramental world is composed, which is the opposite of what is metaphysically secondary which is mental and just having a secondary existence in the mind. Ṣadrā gives a couple of arguments to establish primordiality for existence against essences as merely conceptual, that we already talked about within our discussion of the background of this idea. But here we can elaborate one of the most important arguments for him.

According to the most important argument that he thinks proves the primordiality of existence, a) essences by their own nature are neither existent nor nonexistent, and no essences by themselves can be existent, specified and real; b) however, the status of extramental world is existence, particularity and individuation; c) therefore, what is real and out there cannot be essences. Or one can say, whereas existence is real by its own nature, essences are just existent incidentally by means of existence. As he puts it,

> "... existence is by its nature individual and self-individuated, to the effect that the effects of the creator (*jāʿil*) and what is self-realised (*mutaḥaqqīq*) is the very existence of the contingent not its essence, and existence is self-individuated, and essence, by

[546] *Mullā Ṣadrā, Shawāhid al-Rubūbiya*, 14; Fazlur Rahman, 1975, 27-8

> means of unification with what it is self-existent and self-individuated, comes into existence incidentally, just as it is individuated incidentally as well."[547]

And while the status of existence is individuation and particularity, for essences it is universality,

> "indeed, the existence of essence is different from the essence [itself], due to the differentiation in their effects and properties. Of the properties of essences is that they are subjected to universality and comply with the plurality of existences and individuals [...] and all of these are against the status of existence, because it is self-individuated not having its individuation additional to it."[548]

Therefore, the argument proves that what is real and extramental is, in fact, existence, and essences have just a mental form. Consequently, the external reality is composed of existences in the real sense of the word, and they are essences just incidentally in our minds, and this is completely against what Suhrawardī said.[549]

3.1.5 The gradation of existence

For Avicenna and Muslim peripatetics, plurality or the principle of difference might come from three different things:

1. when the principle of difference (*mā bi-hi-l-'imtiyāz*) is an accidental property for the essence, like difference between two apples in terms of color;
2. when the principle of difference is an essential or internal part of an essence, like two essences that are different in their species forms, or differentia, for instance, horse and dog that even though they have the same genus, i.e., animality as the principle of identity, however, their species forms are different;
3. when two essences are entirely different, that is, with two different essences, like distinction between the ten categories that are entirely distinct from each other, like quality against quantity. In other words, in all of the aforementioned distinctions, the principle of difference is different from the principle of identity.

As we saw in the chapter on Avicenna, for him, the species form or the substance is applicable in the same sense for all of its instances and individuals and it might not be subject to gradation. According to him, a distinction between different individuals of the same kind might be ascribed to their accidental features, whereas with regard to their essences, it is univocally applicable to all of them (*mutawāṭi'*).[550]

In contrast, in addition to the threefold above-mentioned factors of plurality, Suhrawardī thinks about another factor, in which the principle of

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[547] *Mullā Ṣadrā, al-Ta'liqāt 'alā Sharḥ Ḥikmat al-'Ishrāgh,* 49, quoting from Ubūdiyyat, volume 1, 120, footnotes 35
[548] *Sharḥ wa Ta'liqe-ye Sadr al-Mute'allehin bar 'Ilāhiyāt-e Shifā*, Mullā Ṣadrā, quoting from Ubūdiyyat, volume 1, 83
[549] Ubūdiyyat, volume 1, 84-6
[550] Fazlur Rahman, 1975,34

difference (*ma bi-hi-l'imtiyaz*) is the same as the principle of identity (*mā bi-hi-l-'ishtirāk*). He says:

> "the things that have something in common in some one universal can be different in one of four factors: [first] if they are just in common in accident; and they will be different by their essence entirely [; second] and if they are not in common in accident, then they can be different [either] by their differentia, if they are common in their genus, or by non-necessary accidents for the essence, if they are in common by species […] [third] and if it is permissible that the distinguisher is necessary for the individual and not for the species and the fourth one that things in common can be different is by more or less."[551]

In fact, unlike Avicenna and peripatetics who just thought of plurality in one of the three kinds of distinction on the basis of the difference between the principle of identity and difference, Suhrawardī introduces a new kind of plurality on the basis of intensification or gradation of essences. For instance, snow and paper are both white. For Avicenna, the difference between snow and paper in the intensity of whiteness is attributed not to the essence of whiteness but to their differentia. In other words, whiteness for all white things, including snow and paper, is a genus and has the same meaning without being the matter of intensification, and the differences among them are ascribed to their different differentia. In fact, we have different species of whiteness with the same genus and different differentia, but they do not have a different name and we call all of them white.[552] However, for Suhrawardī and according to the fourth factor that he introduces, it is exactly the essence itself which is the matter of intensification, without the species form being qualitatively changed with the intensification of colour. Snow and paper belong to the same species of whiteness, but with different intensity. This is not just the case for qualities like colour, but rather for all essences, as Ṣadrā says, quoting Suhrawardī,

> "the animalness of man, for example, is more perfect than the animalness of a mosquito. One cannot deny that the one is more perfect than the other merely on the ground that in conventional language one cannot say, 'the animalness of this is greater than that of the other'. The opponents' statement that one cannot say 'this is more perfect in point of essence than the other' is based on imprecisions in the conventional language."[553]

Therefore, for Suhrawardī, the principle of identity is the same as the principle of difference and the cause of plurality, and since the principle of identity, for him, is essence, it is essence that is the cause of plurality.

However, Ṣadrā introduces his own doctrine of gradation of existence by criticising and judging these two stances, and adopting some elements from both at the same time. On the one hand, he criticises Avicenna and the peripatetics, because although they saw essence as the principle of identity, which has the same implications among all of its instantiations, they thought of existence as the principle of difference, or as Ṣadrā says, "peripatetics thought of existences [...]

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[551] *Suhrawardī's Majmū'a Muṣannifāt,* volume 1,*u* 333-4, quoting from Ubūdiyyat, volume 1, 139

[552] Fazlur Rahman, 1975, 34-5; Ubūdiyyat, volume 1, 145

[553] *Mullā Ṣadrā, Asfār, volume 1,* 441, quoting from Fazlur Rahman, 1975, 35

as truths with opposing natures."[554] He agrees, however, with their threefold factors of plurality, albeit not in the external world, but just in the mental sphere of essences. On the other hand, he criticises Suhrawardī and the illuminationists for attributing gradation and intensification to essences, although he agrees with them about the fourth kind of differentiation in the form of gradation.

We saw that for Ṣadrā, existence is primordial and the truth of reality, while essences are just mental and modes of existence. At the same time, individuation and plurality come from the existence itself. Therefore, following his existentialism, Ṣadrā, like Suhrawardī, sees the principle of identity the same as the principle of difference, but unlike Suhrawardī and Avicenna, who ascribed it to essences, he ascribes it to existence itself. He says,

> "if differentiation in terms of strength and weakness (*al-ashadd wa al-aḍ'af)* [i.e, in terms of gradation] does not come out of the nature of existence, then it would need a distinguisher (*mumayyiz*), [whether out of] differentia or accident, and if it comes out of the nature of existence itself, according to which the principle of identity is the same as the principle of difference, then there is no need for another distinguisher."[555]

And as he has mentions frequently, "this [i.e., individuation and specification] is the characteristic of the reality of existence."[556] Thus, like light has the same nature in different luminous things, whether in the enormous Sun or in a tiny firefly, but with different intensification, existence is also the same in all existences, from God to prime matter, however in different intensity.[557] Different existences are nothing but different modes of the same reality, i.e., existence, that shows itself in the realm of the mind as various essences. This is why the threefold plurality that we mentioned above is only attributable to essences that do not have any reality except in the realm of the mind. Essences, for Ṣadrā, are nothing but gradation of existence, "the differentiation in it [i.e., the differentiation in different grades of existence] comes from its nature [...] and it is the origin of differentiation of things in essences and their concomitants and accidents."[558] Therefore, decrease and increase of existence in external reality brings about varieties of existents that manifest themselves in the mental realm as essences, or we might want to put it in this way that: the more a thing manifests itself in the form of essences, the less share of existence it has, and the more intense in existence a thing is, the less it is manifested in terms of essences. An example of the latter would be God who is the highest and absolute existence without any essence, and of the latter prime matter, which does not exist except as a mere concept or essence.[559] In other words, "these existential instances [which are identical in nature] are [at the same time and by virtue of the same

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[554] *Mullā Ṣadrā, Sharḥ Hidāya al-A'thīriyyah*, 258, quoting from Ubūdiyyat, volume 1, 155
[555] *Mullā Ṣadrā, al-Ta'liqāt 'alā Sharḥ Ḥikmat al-'Ishrāgh,* 294, quoting from Ubūdiyyat, volume 1, 160
[556] *Mullā Ṣadrā, Sharḥ wa Ta'liqe-ye Sadr al-Mute'allehin bar 'Ilāhiyāt-e Shifā*, Volume 2, p. 1072, quoting from Ubūdiyyat, volume 1, 160
[557] Fazlur Rahman, 1975, 33
[558] *Mullā Ṣadrā, Sharḥ wa Ta'liqe-ye Sadr al-Mute'allehin bar 'Ilāhiyāt-e Shifā, Volume 1,* 500, quoting from Ubūdiyyat, volume 1, 160
[559] Fazlur Rahman, 1975, 36

nature] different from one another in terms of priority and posteriority, perfection and imperfection, strength and weakness."[560]

3.1.6 Essences as pure relation, and the gradation of manifestations instead of the gradation of existence

For Ṣadrā, there is a huge distinction between the reality of existence and what we conceive of existence. The reality of existence can never enter the mind, because this entails that it degrades from its reality as something simple, real and concrete, without any composition, into something mental, secondary and composed of genus and differentia, as a mental form. This is why, its reality never comes into mind in the form of definition, and we just can approach it with the power of intuition. In fact, what we perceive of it in the form of different existences, refers to the modes of existence that may manifest themselves in our mind as the plurality of existences with essences. And since, "the reality of existence is not mental, it is neither universal nor particular, general nor definite, absolute or determined, while all these attributes are the characteristics of the modes of existence or the concomitants of essences".[561]

Unlike philosophers before him, who considered an element of independency or in-itselfness for essences, following existentialism and the secondary status of essences, Ṣadrā considers essences as mere privation, pure relation, devoid of any independency. In other words, philosophers before himsaw the relation between contingents or essences with existence and their causes like the relation between accidents and substances. And even though in reality they inhere in their substratum and are dependent on them, however, in the mental sphere, they have their own existence different from their substrata or causes. Ṣadrā calls this kind of existence relational existence and says, "relational existence (*rābiṭī*) means that the thing exists in-itself (*fī nafsihi*) but not for-itself (*li-nafsihi*), but rather for-other-than-itself (*li-ghayrihi*)."[562] These bring about duality and difference, as he says, "the least level of duality between two things is that they both have in-itself existence, regardless of the other side."[563] In other cases, Ṣadrā calls this kind of existence nominal existence in the sense that like names, it has its own meaning, regardless of other words and can be a subject or a predicate in a proposition.[564]

However, as we mentioned, Ṣadrā does not find this view of contingencies consistent with his existentialism. If it is just existence which is real and essences are just mental forms, considering some aspect of independency for them, even

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[560] *Mullā Ṣadrā, Asfār, volume 1,* 433, quoting from Fazlur Rahman, 1975, 35
[561] *Mullā Ṣadrā, Shawāhid al-Rubūbiya,* 6-7
[562] *Mullā Ṣadrā, al-Ta'liqāt 'alā Sharḥ Ḥikmat al-'Ishrāgh,* 74, quoting from Ubūdiyyat, volume 1, 205
[563] *Mullā Ṣadrā, Asfār, volume 3,* 314, quoting from Ubūdiyyat, volume 1, 205
[564] *Mullā Ṣadrā, Asfār, volume 1,* 81. I need to mention that, by nominal, Ṣadrā here is going to emphasize on the idea of independency, since a name has its own meaning, whether embedded in a sentence or not, unlike a preposition. And nominal existence here has nothing to do with the idea of nominalism in the context of whether universals have any references in the reality or just are names and sounds without any external references.

in the mind, cannot be completely consistent with his doctrine of existence as the only thing that's real. This is why he denies this aspect of in-itselfness from them, and says,

> "it is not possible to analyse the existence of a contingent into existence and [its] relation with God [as pure existence], but rather it is [nothing else merely] related to himself [i.e., God] not in a relation additional to [him], [merely] related to his nature not additional to it. And this makes contingent existences dependent for them, [i.e., for peripatetics and illuminationists], and [mere] relational (*rābiṭ*) for us."[565]

Therefore, for him, contingencies have no reality for themselves, because as "[mere] relation, there is no essence for them at all, like mirror that has no color and no reality." He likens them to prepositions, and says, "it is not possible to think of them independently. [In fact,] they are with prepositional meanings and it impossible to strip this character from them and take them into consideration with nominal meaning (*ma'ni esmiyan*) so that they become with predicative (*maḥmūliyan*) existence."[566] Essences are not like names and verbs with meanings in themselves, regardless of their role in a proposition in relation with other words. Rather, they are like prepositions that have meaning only in relation to other words in a statement. This is why they never can be a subject or an object. Or suppose depending on the strength of the light from a light source, in terms of remoteness and closeness to the origin, there would come to existence varieties of scriptures. The scriptures would be different from each other regarding their richness in depicting the origin from which they poured forth, whether in terms of their writing style or the content and meaning. The more strong the lights, the scriptures would be richer in various ways. Now suppose that without the source of light, there would be no word and scripture. For Ṣadrā, essences are like these words and scriptures in the sense that they just manifest the light of pure existence in different grades. Without light cascading from the origin they would, in fact, never exist; thus, they only exist and are detectable in so far as the origin is lightening. According to Ṣadrā's words,

> "there is no reality for effect in its nature [...] except that it is [merely] relational [...] and if the finitude of the chain of being is established [...] that reaches to the simple existence [...] and if it is established to be self-emanative [...] this explains [...] that he is the origin and anything else is its modes (*shuʾūna*) and grades (*'aṭwāra*) and it is existent and beyond and over it are its modes and aspects (*ḥaythiya*)."[567]

Therefore, the essences are delimitations of pure existence, and "the unification between essence and existence is like the unification between representation (*ḥikāya*) and the represented (*muḥkī*), and mirror (*mir'āt*) and the mirrored (*mar'ī*). Then the essence of everything is the rational representation and the mental image (*shabaḥ*) being seen from outside, which is like its shadow."[568]

Based upon his existentialism and essences as merely relational, Ṣadrā thinks that in existential propositions, i.e., when we attribute existence to

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[565] *Mullā Ṣadrā, Asfār, volume 1,* 81, quoting from Ubūdiyyat, volume 1, 213
[566] *Mullā Ṣadrā, Asfār, volume 1,* 82, quoting from Ubūdiyyat, volume 1, 207
[567] *Mullā Ṣadrā, Asfār, volume 2,* 300, quoting from Ubūdiyyat, volume 1, 229
[568] *Mullā Ṣadrā, Asfār, volume 2,* 235-6, quoting from Ubūdiyyat, volume 1, 228

something as essence, like when we say in conventional language, *human exists*, or *human is existent*, these propositions need to be reformulated in the form of attributing something to existence, so that we say instead, *this existent is human*. While the former is consistent with essentialism, the latter is compatible with existentialism.[569]

However, with this doctrine of essences as pure relation, Ṣadrā takes a step away from his doctrine of the gradation of existence towards a more radical stance which might be named the gradation of manifestations. And this further step yields many consequences for his philosophy. Because whereas with regard to the doctrine of gradation of existence, he introduces the unity of existence in all existents, however, regarding the doctrine of essences as purely relational, he introduces the unity of existence and existent. In other words, whereas with the doctrine of the gradation of existence, we still suppose a diversity of multiple existences which have an element of independency from the origin of existence or God, with the doctrine of essences as merely relational, he entirely denies this aspect of independency which can result in multiple existences and sees them as one existence which has various manifestations. This in turn results in the gradation of manifestations, instead of the gradation of existence.[570] For Ṣadrā, this move has several implications:

1. *monism*: a) any judgments about contingents and effects are judgements about the necessary existence itself, i.e., about God as manifested in that specific creature. For instance, when we say that *human exists*, this means that *the independent existence as manifested in human essence exists*. For Ṣadrā, this is not pantheism, as the human essence is not identical with the divine, but a manifestation of him. This is *unity by nature*; b) predicating any attribute to contingents is attributing it to independent existence. For instance, *A is knowledgeable*, which means that *the independent existence as manifested in A is knowledgeable*. This is *unity in attributes*; c) the same as in actions, when you say that *A has done a kind act*, it means that *the independent existence as manifested in A has done a kind act.* This is *unity in actions*.[571]
2. Based on the view that essences are merely relational, Ṣadrā replaces the idea of causality with modulation (*tasha'uun*). For the former presupposes the idea of independency of essences and duality and diversity; as he says, "philosophers attested that the efficient cause affects things different from itself."[572] However, "at the end, by means of the path of knowledge, the so-called cause [turns out to be] the foundation and the effect is one of its modes, then cause and effect refer to turning the cause in its nature and kind into its variations [i.e., variations of existence], nor a separate thing with a separate identity from it [i.e., existence]."[573] Following this view, posteriority and priority in terms of causation is replaced by priority and posteriority in terms

[569] *Mullā Ṣadrā, Shawāhid al-Rubūbiya,* 11-13; Fazlur Rahman, 1975, 29; Ubūdiyyat, volume 1, 97-104
[570] Ubūdiyyat, volume 1, 240
[571] *Mullā Ṣadrā, Asfār, Volume 6,* 273-4, quoting from Ubūdiyyat, volume 1, 237
[572] *Mullā Ṣadrā, Asfār, volume 3,* 257, quoting from Ubūdiyyat, volume 1, 238
[573] *Mullā Ṣadrā, Shawāhid al-Rubūbiya,* 51; *Mullā Ṣadrā, Asfār, volume 1,* 330-1

of reality (*taqaddum wa taʾakhkhur bi-l-ḥaqīqa*). Instead of cause and effect we should use the more accurate terms of *the Truth or God in its nature*, and *the Truth or God as manifested in x or y*.[574]

3. The other important consequence of the doctrine of essences as purely relational, for Ṣadrian ontology and his cosmology, is replacing the idea of intellects as independent existences which emanate from God with the *comprehensive existence* (*wujūd al-munbasiṭ*) as a mere relation, with no independent aspects. This idea from him is a synthesis of Ibn ʻArabi and Muslim peripatetics.[575]

In fact, from God as pure existence in his self-reflection, this comprehensive existence is emanated, but unlike the first intellect in the peripatetic system, which has its own independent existence, it is purely relational with respect to God. As he says, "philosophers, according to the principle of *from the one only one is emanated*, [say] that the first emanation is the first intellect," but, "[for us], the first thing which is originated from necessary existence [...] is the comprehensive existence [...] and this is initiation (*munshaʾīya*) not causality, since causality as causality entails a distinction between cause and effect."[576] Muslim philosophers, and Ṣadrā among them, following Plotinus' idea that the transcendence of the One is not transcendence of exclusion but of inclusion, believe that the more transcendent an existence is, the more inclusive it will be.[577] Following this rule, for Ṣadrā, the comprehensive existence is the most inclusive existence which is all and nothing at the same time. It is all, including human, tree, horse, etc., because in its various manifestations, it emerges as various modes, and then as essences in the mental form; it is nothing, because it has no essence and no independent existence in itself. This existence, by itself, has no essence and with different manifestations it can manifest as different essences, whether as intellect in its most perfect and manifested level, or human, animal, plant, in lower levels.[578] This reflects the Ṣadrian doctrine of *that which of a simple nature is everything* (*basīṭ al-ḥaqīqa kull al-ashyāʾ*), or diversity in unity.[579]

3.1.7 Movement in substance

Following the ideas that existence is primordial and essences purely relational, and that manifestations of existence are gradated, Ṣadrā reaches another important factor of his philosophy, *movement in substance* (*ḥaraka jawhariya*).

We already found, in the chapter on Avicenna, that he firmly denied any kind of movement in substance or the species form. For him, change and movement can only be ascribed to accidents, not the species or substance,

[574] *Mullā Ṣadrā, Shawāhid al-Rubūbiya*, 61
[575] Fazlur Rahman, 1975, 85
[576] *Mullā Ṣadrā, Asfār*, volume 2, 301-2, quoting from Ubūdiyyat; volume 1, pp. 242-3
[577] Fazlur Rahman, 1975, 81
[578] *Mullā Ṣadrā, Asfār*, volume 2, 328, quoting from Ubūdiyyat, volume 1, 245; Fazlur Rahman, 1975, 81-9
[579] Fazlur Rahman, 1975, 39

because in the process of movement and change, either the substance remains the same, which means that changes occur in the accidents, or it is completely corrupted and a new kind of substance is generated, not that the previous one undergoes gradual and continuous change. This is why we cannot attribute gradation and intensification to substances by claiming that, for instance, a magnolia x is more of a magnolia than a magnolia y. But rather an essence like a plant can only be replaced by another substance, such as a human or an animal.[580] In fact, the main reason for Avicenna's denial of change and movement in substance is that in this case it entails that change and movement would have no substratum. The lack of substratum would eradicate the unity and the continuity of movement, and things would end up in a process of unrelated phenomena, or as Ṣadrā puts the issue "the whole universe with all of its parts, heavens, stars, simple and compound things are temporally corrupting and generating. Everything in it in every moment of time is another existence and a new creation."[581] One example of varieties of issues that it can make would be, how we could punish x for his crimes, while who has performed the crime is not existent anymore, and the current x is not that criminal, because they are identically two different persons. This is why Avicenna only accepts gradual changes in terms of accidents while the substance remains the same in the whole process of becoming. In case of changes in substance, he only allowed it in terms of instantaneous corruption and generation of a new substance. Following this reason, Suhrawardī also denies movement in substance and instead introduces movement as a new category beside other ones. Accordingly, when a substance is moving, movement would accidentally inhere in it, without affecting the substance itself.[582]

Against this backdrop, however, Ṣadrā criticises Avicenna's claim and sees it on the basis of the "dogmatism and fallacious thinking rooted in a confusion between essence and existence and between the potential and the actual."[583] In other words, Ṣadrā thinks that, if by *persistence of species*, Avicenna meant the existence of species, we definitely agree with him, because in the process of changes, the existence remains the same as something continuous with unity, and its intensification means its progressive perfection; however, if he meant by the persistence of species that its species-form remains the same in the whole process of change, we don't agree with him, because in its different manifestations, existence emerges in different modes that leads to a diversity of essences, without requiring the corruption of the prior essence and the generation of a posterior one, which eradicates the unity of movement, as Avicenna claimed.[584] For Ṣadrā,

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[580] Fazlur Rahman, 1975, 104
[581] *Mullā Ṣadrā, Asfār, volume 7,* 298, quoting from Ubūdiyyat, volume 1, 316
[582] Ubūdiyyat, volume 1, 353
[583] *Mullā Ṣadrā, Asfār, volume 1,* 86-7, 105-7, quoting from Fazlur Rahman, p. 104
[584] Fazlur Rahman, 1975, 104-5. One can say that, regarding the temporal identity of substances, Avicenna is an *endurantist*, where the identity being wholly present at more than one time, while Ṣadrā is a *perdurantist*, where it persists by having different temporal parts, or stages, at different times, though no one part of it is wholly present at more than one time. This is not a topic that I can go through here. For a general information about

changes in terms of a sudden corruption of the former form and generation of a new species form is absurd, because it would entail that the matter as the subject of movement, during the corruption of the previous form and its transformation into a new species, becomes devoid of any form and this is absurd. He says, "therefore, both corruption and generation occur gradually [in terms of the gradual change of the former form into the new one which is the movement in substance]. Otherwise, it requires either the succession of two moments (*tatālī al-ānayn*), which is absurd, or the matter becomes devoid of both [i.e., the former and the new forms] all together, [which is also absurd]."[585]

Moreover, Ṣadrā disagrees with earlier philosophers, Avicenna among them, on whether there is a stable substratum for the unity and persistence of movement. Because movement is not of accidents that require a substratum in which to inhere. But rather movement is the gradual way in which things, whether substance or accidents, exist. Therefore, movement is the only way of existence for material things. Unlike Avicenna, for Ṣadrā, movement in accidents provides a good argument for substantial movement. This is because accidents just have a secondary existence dependent on their substances, and changing accidents cannot come from a stable substance. Thus, movement must first takes place in substance and then in accidents. As Tabātabāī says, "for him [i.e., Ṣadrā], may God bless him, all categories are moving, because of the movement in substance as their substratum,"[586] and as Ṣadrā says, "in their existence, accidents are dependent on the formal (*ṣūrī*) substances [therefore, what is seen as essential for them necessarily ends up in these substances, not in the accidents]."[587] In other words, since essences in general, and accidents in particular, have no existence in and for themselves, in their existences, they just manifest the changing mode of their substances, as they are moving secondarily, as a consequence of the primary, inherent movement of their substances.[588]

Following changes in substance, Ṣadrā concludes changes in the nature or species form itself, contrary to traditional philosophers, who thought of nature as something stable which causes all accidental movements.[589] However, for Ṣadrā, "the formal substance, called nature, with regard to its existence, is the origin of movement, [because] if [the nature] is not something fluid and changing in-itself, it is not possible that movement flows from it, because of the absurdity of the changing (*mutaghayyir*) flowing from the stable (*thābit*)."[590] In other words, the cause of change, i.e., the nature or the species form, should itself be changing. On the other hand, for Ṣadrā, substance and accidents and form and matter have a *unitary composition* (*tarkīb ittiḥādī*) in the realm of existence, while they are just different in the mind. Because of this unification between them, any changes in

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endurantism versus perdurantism, see the Stanford Encyclopedia of Philosophy's entry on Temporal Parts in this address: https://plato.stanford.edu/entries/temporal-parts/.

[585] *Mullā Ṣadrā, Asfār, volume 3,* 177-8, quoting from Ubūdiyyat, volume 1, 326

[586] *Mullā Ṣadrā, Asfār, volume 3,* 62, Tabataba'i's Commentaries, quoting from Ubūdiyyat, volume 1, 313

[587] *Mullā Ṣadrā, Asfār, volume 3,* 67, quoting from Ubūdiyyat, volume 1, 356

[588] Fazlur Rahman, 1975, 98-9

[589] Fazlur Rahman, 1975,96

[590] *Mullā Ṣadrā, Shawāhid al-Rubūbiya,* 85

accidents entails changes in their substances, "the whole existence of the bodily nature in itself is subject to being a continuous (*muttaṣil*) substance, with [specific] quantity, position, magnitude and time by itself. Then changes in magnitude, colour, position require changes in its specific substantial bodily existence, and this is the movement in substances."[591]

3.1.8 The possibility of transformation of species forms in Ṣadrian ontology

Following the doctrine of the substantial movement and subsequently the idea of profound changes, unlike Avicenna and other traditional philosophers, who denied transformation in essences, Ṣadrā acknowledges it in some respects. As we saw earlier, for Avicenna, changes are either in accidents or in terms of instantaneous corruption and generation. For Avicenna, the form itself, for instance the form of water, instantaneously corrupts into the air, in terms of the immediate corruption of water and its replacement by air. However, for Ṣadrā, changes occur in terms of the continuous gradual transformation of the former form into a middle form and then a new kind of species form. He says,

> "if by the absurdity of transformation (*qalb*) of realities, it is meant that no essence from among essences or meaning from among meanings can become another essence and another meaning, because everything is what it is (*huwa huwa*) and not something else and cannot become another thing, then this is a truth which is not hidden [to us]; [however,] if you mean that the existence of the thing to which an essence or a meaning is ascribed cannot be changing in such a way that to which another essence or another meaning could be ascribed, then this is not proved, because existence is primordial in all existences while essence follows it like a shadow, and existence is getting strengthened and weakened or getting perfect and imperfect."[592]

In other words, while Ṣadrā, in line with traditional philosophers, accepts the absurdity of transformation in terms of the principle of identity and difference, he thinks this is feasible in terms of his existentialism, because it is the same existence throughout the process of movement and changes, that in one of its manifestations reveals as the specific form of water, then as steam, and finally as air. And these occur in terms of gradual changes, not instantaneous corruption and generation, as Avicenna thought. In fact, in the transformation of water to air, or sperm to a human being and the like, it is the same existence that gradually intensifies and these different intensifications manifest themselves in different essences or species forms which, even though they are different from each other, are all manifestations of the same existence. Ṣadrā says,

> "with regard to the transformation (*'inqilāb*) of realities, there is a correct formula, that is, regarding existence, essential transformation (*'istiḥāla*) and substantial movement do not occur solely in terms of turning a form into another form in terms of corruption and generation while preserving the matter in its individuation; but rather in terms of the gradual continuation in form and existence itself."[593]

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[591] *Mullā Ṣadrā, Asfār, volume 3,* 104, quoting from Ubūdiyyat, volume 1, 325
[592] *Mullā Ṣadrā, Mafātīḥ al-Ghayb,* 383
[593] *Mullā Ṣadrā, Sharḥ wa Ta'liqe-ye Sadr al-Mute'allehin bar 'Ilāhiyāt-e Shifā*, 597-8

3.1.9 The integration of existence and Ṣadrian animal philosophy

In the previous chapter on Avicenna, we found that for him, following Aristotle, the environment might cause changes in the individual instantiations of a species. However, these changes do not affect a species in such a way that it is transformed into a new species form. In fact, all the changes occur in the realm of accidental properties of the given species, because the Avicennian metaphysics deems the idea of movement in substance or species forms as impossible. Even when there are changes in species forms, they occur in terms of instantaneous corruption and generation, that he sees just in the realm of elements, like when water is transformed into air, or earth and so on, without such a thing might happen in the realm of plants, animals, and humans. In other words, all the changes occur, according to him, in terms of the idea of the fixity of species forms.

By contrast, Ṣadrian metaphysics can provide us with the required tools for a more integrated view towards species and creatures, by considering them as along a continuum. The main doctrines of his philosophy, i.e., existentialism, the gradation of existence, movement in substance, alongside the doctrine of profound transformation of species into each other, allow him, against the idea of species as fixed and disintegrated essences, to adopt a process view of reality, according to which he sees them as integrated existences. The possibility of transformation of species into each other that the Ṣadrian metaphysics tries to explain opens the room for intermediary species, which he, as a philosopher, not an experimental biologist, tries to account for. In this regard, it seems that Ṣadrā was influenced by the Brethren of Purity, and other Persian thinkers like Ibn Miskawayh,[594] and Birūni.[595] But while these traditional thinkers still thought in terms of the doctrine of fixity of species that couldn't properly explain the intermediary species metaphysically, Ṣadrā tries to accomplish it in his philosophy. He says in this regard that,

> "then the nature is disposed to intensification and weakness, and if the elemental forms were not subject to intensification, weakness and contradiction, and no common level was found for them which is the culmination of intensity for some of them and the beginning of weakness for others, or vice versa, like steam which is [intermediary] between air and water, or condensation of air and dilution of water, it would entail that matter becomes empty of all elemental forms and this is absurd. Therefore, when water turns into air, in its dilution it reaches the ultimate level of subtlety [possible] for water and the lowest levels of air in terms of its condensity; and the same intermediary [forms] could be found between compound [creatures] too, like the coral which is between inanimate matter and plants, and al-waq-wāq tree[596] which is between plants and animals, and the monkey which is between animal and human."[597]

In another work, i.e., *Mafātīḥ al-ghayb*, Ṣadrā argues for the countless number of these intermediary substantial forms, because every movement heads towards a telos or a goal, and it is the desire for this goal that moves the substance, and,

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[594] *Ibn Miskawayh, Tahḏib al-Akhlāq wa Taʾṭhir al-Aʿrāq*, 75-9
[595] Birūni, al-Jamāhir fī l Jawāhir, 154-55
[596] A palm-like tree with fruits resembling the human face that is supposed to exist in tropical regions.
[597] *Mullā Ṣadrā, Shawāhid al-Rubūbiya*, 86-7

"there is no imperfect unless levels of perfection exist above it, and between it [as imperfect] and the perfect [towards which it heads] in all aspects, there are countless and innumerable substantial levels."[598] On the other hand, "there should be the possibility of reaching the goal for the imperfect nature, otherwise there would be a desire for an unreachable goal, which is in vain, and this is supposed to be against God's perfection."[599]

However, what is more remarkable in this connection is that Ṣadrā argues for the possibility of transformation of species into each other (*'inqilāb*). He makes the point that a species, after reaching the level for which it is assigned, may surpass the limits of its species and enter the domain of another, more perfect species. And this process might also run in the reverse direction, going from perfection down to imperfection due to external forces (*qasr*) putting pressure on the nature of the existent. He says,

> "and any creature with a telos, when it reaches its ultimate perfection, it gets to another species above itself, as when it descends to the lower levels, getting to the inferior species. Like when the air reaches the ultimate degree of hotness and subtlety, it gets to the species of fire, and when it reaches the ultimate level of cold, it transforms into water. And when human develops its property of perceiving universals among animals, it turns into angels and when descending from its levels and losing its human form, it mingles with demons and insects."[600]

If under pressure from environmental factors the elemental forms might transform into each other, like when heat can change the air into fire, or cold might change it into water and even earth, and these are completely opposite forms, why might the same not happen between plants, animals and humans? Unlike Avicenna, who saw the changes in terms of the instantaneous corruption of the former form and generation of the new form and also accidental changes that might not change the species to each other, however, for Ṣadrā, the environment might transform and change the same existence in a smooth and gradual process in such a way that it intensifies it into higher existential levels or degrades it to lower ones. These varieties of modes can emerge in different manifestations that we call as species. Every upper level contains in itself the lower levels, as plants contain minerals, animals contain both plants and minerals and humans contain all three. Each higher level is the intensity of the lower levels, not vice versa, because the process of substantial changing happens upward, unless some obstacles or forces interfere and make it downward. The minerals might transform into plants, with some species in between, like coral, plants into animals, and date tree or al-waq wāq in between, and animals into human, and monkey in between. Human can also evolve in such a way that he reaches the levels of angels and even more superior. And what fuels the substantial movement in all creatures is the desire to become immaterial or intellectual, as Ṣadrā writes, "the object of desire (*maṭlūb*) for all [existences] is the Necessary existence (*wājib al-wujūd*), because their desire is towards perfection and its

[598] *Mullā Ṣadrā, Mafātiḥ al-Ghayb*, 381
[599] (*ibid*.)
[600] *Mullā Ṣadrā,Mafātiḥ al-Ghayb*, 382-3

attainment,"[601] and God as pure perfection with no deficiency is the ultimate goal for all movements. This is why when a species reaches the supposed telos of the species to which it belongs, its movement still continues into upper levels and may evolve into them, and when it fails to realize it, it may descend to the lower levels.

At the same time, we should not forget the role of the lords of species in the process of transformation of species to each other. As it will become clear shortly, for Ṣadrā, the universe is entirely ordered in terms of perfection and weakness of existence, all overflowing from the pure existence or God. According to this Neoplatonic and Illuminationist picture, the material world with its multiplicity which occupies the lowest level of existence is nothing but the reflection of their intellectual forms or lords of species in the domain of matter, where they manifest themselves in the diversity of species with their multiple individuals.[602] In other words, every species has its own intellectual forms or the lord of species which is responsible for preserving its individuals. What we see in this material world are just those intellectual forms in a weaker level. Accordingly, Ṣadrian gradualism in terms of species forms is nothing but the reflection of gradation among intellectual lords of species in matter. Consequently, in transforming species into each other, say, water to air, or air to fire, it seems that the matter of water or air in their substantial movement need to get predisposed, as a result of the environment, to receive in a process of emanation from intellectual lords of species, respectively, the forms of air and fire. What this sort of ontology proposes is an intertwined perspective towards all existence, instead of seeing all existents as fixed species forms insurmountably differentiated.

To sum up, according to the primordiality of existence, all creatures are fundamentally portions of existence, and according to the doctrine of gradation, and movement in substance, as existence, they are in the gradual process of transformation and becoming that can evolve and also transform them into upper existential levels. Species or essences are nothing more than delimitations of the same existence in a given period of time into different, and sometimes opposite, manifestations that we suppose as essences or species forms. In this way, Ṣadrā tries to explain the doctrine of unity in multiplicity, as the pivotal idea in his philosophical journey.

3.2 Ṣadrian Epistemology[603]

In this section we are going to investigate the nature of knowledge in Ṣadrian metaphysics and its possible consequences for his animal philosophy. We

[601] *Mullā Ṣadrā, Mafātiḥ al-Ghayb*, 377
[602] With regard to the doctrine of the lords of species, Ṣadrā is influenced by Illuminationism, and Suhrawardī's idea of the Forms, or the dominating lights (anwār qāhira), or the lords of idols (arbāb al-aṣnām). For Suhrawardī's doctrine of the lords of species, see: Kaukua, Suhrawardī's Illuminationism, chapter 7.
[603] See also: *Kalin, Knowledge in Later Islamic Philosophy*, chapters II and III.

already saw, in the chapter on Avicenna, that for him, perception was a duplicate representation or a reflection of the exterior material forms on the mirror of the mind. In fact, according to Avicennian epistemology, the soul or the mind, like a mirror, has its own independent existence, and during the process of perception, it is affected by the external object, an image of whose form is reflected in the mind, such that the reflected image or representation exactly corresponds to the external object. Therefore, the mind or the soul in this framework has a passive mechanism. However, against this background, Ṣadrā thinks of the mind or the soul in the process of perception in an entirely active way; instead of receiving a similar form corresponding to external forms, perception, for him, is the very activity of the soul for inventing the forms corresponding to external forms. On the other hand, regarding the nature of knowledge in Avicennian epistemology, the only immaterial knowledge or perception is the intellectual knowledge which is reserved for human beings endowed with intellects; the other means of acquiring knowledge are all material. Consequently, it is just the human soul which can have an afterlife, and all other animals would perish in death. However, against this background, Ṣadrā thinks of perception by itself as something immaterial, whether sense perception, imagination, or intellection, but in different grades. As far as there is a perception, it should be for an immaterial subject, mind or soul, although the immateriality of knowledge, following existentialism and the doctrine of gradation should also be seen as a matter of intensity and weakness.

3.2.1 The nature of knowledge in Ṣadrian Epistemology

Following his existentialism, Ṣadrā finds the traditional conception of knowledge or perception compatible with essentialism, as the traditional definition of knowledge is the reception of the external forms (essences) in the mind or soul. In fact, in this conception of knowledge, what is seen as primordial is essence in the outer world, and perception is also the representation of these essential forms in the mind, whether representation of substances or accidents. However, for Ṣadrā, following existentialism, "knowledge is the existence of the present form [as an object] for an existent [as a subject], whose existence is for-itself (*li-nafsih*) [i.e., not in another, which can mean being self-aware as well],"[604] or, "knowledge is the existence of a thing [as an object] for another thing [as a subject], and its presence for it."[605] In other words, if existence is primordial and essences are just like shadows of existence, the direct objects of our perceptions should be existence, whereas essences are just secondarily or indirectly the objects of our knowledge. In this context, existence and presence have the same meaning (*'ishtirāk ma'nawī*). For instance, when you say that x perceives y, it means that y exists for x or y is present for x, both with the same implications. In not perceiving, for instance, colors by tongue or sounds by nose, the objects of

[604] *Mullā Ṣadrā, Asfār, volume 8,* 163; see also, *Asfār*, volume 3, 354; volume 6, 416
[605] *Mullā Ṣadrā's philosophical works collection,* 70, quoting from Ubūdiyyat, volume 2, 47, footnote 7

perception cannot be present for the subject that results in the lack of perception. In fact, the barriers that result in non-perception can be ascribed to both subject and the object of perception. In other words, the specific form of waves just can be fit in ears' structure to be received, and the specific kind of molecules that provide us with taste just can be received by tongue receptors because of their kind and shapes. At the same time, due to the specific structure of these organs, they just can receive a specific kind of object. These limitations from both sides result in the lack of connection between two sides and consequently the absence of object for subject. And this absence shows itself in the form of the lack of perception. It is in this sense that, for Ṣadrā, knowledge or perception is existence and presence.[606]

In a further step, Ṣadrā claims that presence is just possible for immaterial things. In other words, the prerequisite of presence, for him, is that the knower and the known are all immaterial and abstract. He says in this respect, "knowledge is the actual existence of a thing for some other thing, but rather we say that, knowledge is the existence for the *immaterial* (*mujarrad*) thing, whether it exists for itself or for others. If it exists for others, this knowledge is for others and if it is not for others it has self-perception (*'ilman li-nafsihi*)."[607] The reason that Ṣadrā thinks of material things as being without perception is that, since the material bodies are divisible and composed of parts, and each part is different from other parts, each part is absent from other parts and no parts of material bodies are present for all of the other parts.[608] Consequently, "what is not present for itself, something else cannot be present for it; this is why it doesn't perceive other-than-itself, just like that it doesn't perceive itself; because what perceives others, it has a tacit (*fi ḍimnen*) self-perception while perceiving others,"[609] or "what doesn't perceive itself doesn't perceive others either."[610]

On the other hand, the nature of knowledge or the mental form of the known (*ma'lūm*) as presence or existence is not material too, "the knowledge is the immaterial existence of the thing, and it is the existence with no concealments (*ghawāshī*),"[611] or, "knowledge is a mode (*naḥw*) of immaterial existence."[612] Therefore, whereas for Avicenna, it is just the intelligible (*ma'qūl*) as the object of intellectual knowledge (*'aql*), and the intellectual soul (*'āqīl*) as the subject of this knowledge, that is immaterial, for Ṣadrā all kinds of perception and knowledge are immaterial, whether sensible, imaginative, estimative or intellectual, although in different grades of abstraction.

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606 In his idea of knowledge as presence, Ṣadrā hugely relies on Suhrawardī's doctrine of presential knowledge (*'ilm bi-l-ḥuḍūr*). To see the implications of Suhrawardīan doctrine of presential knowledge, see: Kaukua, *Suhrawardī's Knowledge as Presence in Context*, 309-324; Kaukua, *Suhrawardī's Illuminationism*, 229-230.

607 *Mullā Ṣadrā, Asfār, volume 3,* 354, quoting from Ubūdiyyat, volume 2, 46, footnote 7; see also: *Asfār*, volume 8, p. 163

608 *Mullā Ṣadrā, Asfār, volume 3,* 297-8

609 *Mullā Ṣadrā's works collection*, p. 389, quoting from Ubūdiyyat, volume 2, 48, footnote 18

610 *Commentaries on the Uṣūl al-Kāfi,* Mullā Ṣadrā, p. 45, quoting from Ubūdiyyat, volume 2, 47

611 *Mullā Ṣadrā, Asfār, volume 1,* 286

612 *Mullā Ṣadrā, Asfār, volume 1,* 294, quoting from Ubūdiyyat, volume 2, 34

3.2.2 The unity between the knower and the known, and abstraction as the matter of gradation

We found that, for Ṣadrā, knowledge and perception in itself is an immaterial thing. This means that all kinds of knowledge, like sensible, imaginative and intellectual, are immaterial, however, in a hierarchical way corresponding to the gradation of existence. Whereas for peripatetics and Avicenna, there are two kinds of worlds, i.e., material and intellectual, which is immaterial, however, for Ṣadrā, following Suhrawardī, there are three kinds of worlds, material, imaginal and intellectual. While the material world is in the weakest existential level, then the imaginal world in the middle, the intellectual world is the most intensified and immaterial level with no imperfections and potentiality. Both imaginal and intellectual levels are immaterial, however in different intensity. Unlike Avicenna, who thought of sensible, imaginative and estimative perceptions in terms of material knowledge, for Ṣadrā, all of these perceptions belong to the sphere of the immaterial ideal world. He says, "[alongside the material world, there are] two [other] worlds: intellectual world [...] and the world of forms (*al-'ālam al-ṣuwar*) that can be divided into sensible forms and imagery (*shabaḥīya*) forms,"[613] and, "the most intensified existence is for the intellectual forms, by their levels of potentiality; then there are imaginal ideas, and then sensible ideas."[614] In other words, both imaginative and sensible forms belong to the sphere of the immaterial ideal world, which is weaker than the intellectual world, and more intensified than the world of matter that he describes as "the world of death, ignorance and darkness."[615]

The sensible and imaginative forms of perception, if they are to be perceived, need to be immaterial, for perception cannot belong to material forms, as he says, "knowing material things means knowing the ideal or intellectual forms of these material things."[616] Ṣadrā partly agrees with Avicenna, for whom the material forms of external bodies never come to mind, but a representation corresponding to them is reflected in the mind passively, but he rejects the mind's passivity, as he thinks of the role of the soul or mind in perception in an active way. He says in this regard,

> "an entirely material existence can never be perceived, [...] because of its having a spatial status and material positions, it is not present for itself and not existing for [other] existent [...] therefore, the first [weakest] levels of perception is for sensation [...] and the form that is observed by sensation [i.e., sensation perceives it directly] is different from the material form, and it has another kind of existence, finer, nobler, and more intensified than the material forms, [existing] with us … [This immaterial form existing with us] is dependent on our soul [or mind] like acts are dependent on their agents, appearing before it, observing them [i.e., immaterial forms] by themselves [i.e., directly], not through another form [indirectly]; since their existences [that is, the existence of immaterial forms] are perceived [like] lights [i.e., they are immaterial

[613] *Mullā Ṣadrā, Asfār, volume 1,* 302, quoting from Ubūdiyyat, volume 2, 35
[614] *Mullā Ṣadrā, Asfār, Volume 6,* 416, quoting from Ubūdiyyat, volume 2, 48, footnote 23
[615] *Mullā Ṣadrā, al-Ta'liqāt 'alā Sharḥ Ḥikmat al-'Ishrāgh,* 456, quoting from Ubūdiyyat, volume 2, 48, footnote 23
[616] *Mullā Ṣadrā, Asfār, volume 8,* 291

existence]. Then after that is the level of imaginative perception, [...] then the level of intellectual perception."[617]

He mentions this point explicitly by talking about two different kinds of forms, when he says,

> "forms are in two kinds: the first is the material form, its existence is the existence of a divisible, spatial, sided (*dhī jiha*) thing [...], and the second one is the form that is not mixed with matter, whether conditioned by the presence of matter with a specific position with regard to its instrument or not. Compared to the former, the latter, with its two sorts, is more entitled to be called form, because the former is weaker in its unity and its existence [...]. This is why it cannot have any perceptual existence. However, regarding the latter, there is a perceptual formal existence without matter. Thus, it can be sensible, if it requires in its existence a spatial relation to the manifested thing and its mirror-like existence with regard to the material body, or imaginative or intellectual, when it's not in this way."[618]

The object of knowledge, or the known, for Avicenna, is a representation of external forms, that is, an image with material properties. However, the persisting issue here can be perceiving representations of things with material properties, like having three dimensions, color, etc., by an immaterial soul which results in the divisibility of the substratum, i.e., the immaterial soul. To resolve the problem of the inherence of a representation with material properties on the immaterial soul, Ṣadrā gives an active role to the soul in the process of perception, like the relation between an agent and its actions. According to him, the perceptual faculty by receiving the external forms prepares the conditions in such a way that the soul itself actively makes its own version of perceptual form which is immaterial. In fact, the immediate object of perception or the known, according to this account, is the immaterial form that the soul shapes, following the idea of the immateriality of knowledge by itself, whereas the external material form is just known indirectly, as the above-mentioned passage refers.

Consequently, if the immediate object of perception belongs to the image that the soul shapes of external forms, the existential levels in which the soul resides can affect the quality of knowledge. In other words, the more perfect the soul is, the more genuine knowledge of things it can shape. On the other hand, for Ṣadrā, the relation between the soul and its perceptions is like matter and form. So to speak, every perception that we make, they would affect existential changes in our substances, not just changes in accidental features without affecting the soul substantially, as Avicenna presumed.

In defining wisdom or *ḥikma*, Ṣadrā says,

> "wisdom in a real sense is to know things as they are, and as we mentioned earlier, knowledge of anything is essentially [on the basis of] the mode of its existence, and it is only the creator and inventor [i.e., God] who encompasses things. So, there is no Wise (*ḥakīm*) in the real sense of the word but God himself."[619]

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[617] *Sharḥ wa Ta'liqe-ye Sadr al-Mute'allehin bar 'Ilāhiyāt-e Shifā*, Mullā Ṣadrā, volume 1, pp. 613-15, quoting from Ubūdiyyat, volume 2, 36
[618] *Mullā Ṣadrā, Asfār, volume 8*, 329-30
[619] *Mullā Ṣadrā, Asfār*, volume 7, 147-48

In other words, as I mentioned earlier, depending on the existential level of the percipient, the perception of things might vary. After God with the real knowledge of things, Ṣadrā refers to proximate angels and prophets and people who have intimacy with God, or perfect human as with the genuine knowledge in different grades.[620] This shows how a more mature soul in a spiritual sense of the word forms more genuine perceptions of the universe and its components, correspondent to the reality of things. In fact, Ṣadrā mentions five factors that play a major role in preventing people from obtaining the reality of things and so true happiness, all of which pertain to the limitations of their souls. These are as follows: the weakness which comes from nature, as an infant lacks the ability to perceive things appropriately; or the weakness might come from stains and dirt of desires that pollute the mirror of the soul; or when the weakness comes from the soul that's averse to the truth and the real purpose of things; or when the weakness comes from following the customary beliefs and blind imitation that prevent the person from seeing reality; or when the weakness comes from the lack of knowledge of authentic methods and sciences.[621]

For Ṣadrā, following the doctrine of movement in substance, the soul has a flowing reality, and the stronger soul would have more intensified existence and stronger perceptions. The soul in its early levels of existence is in its weakest levels, more attached to matter and devoid of intellectual disposition (*malaka ʿaqlāniya*). In its early stages, after encountering external objects, the soul gets disposed to receive emanation from the giver of the forms, which gives it either sensible or imaginative forms. For instance, according to this mechanism when we perceive a flower, after encountering its external object, a sensible form corresponding to the object is emanated in our mind. So external objects just prepare the soul for the emanation of the right immaterial form of the thing. Ṣadrā says in this regard,

> "sensation is acquired when, from the giver of the forms (*wāhib al-ṣuwar*), a perceptual illuminative form [which is immaterial] is emanated [on our souls] through which perception and awareness (*shuʿūr*) are obtained. [...] This illuminative (*nūriya*) form is the subject of the sense (*ḥāss*), the sensation [itself] (*ḥiss*) and the sensed (*maḥsūs*). Like the intellectual form which is intellect (*ʿaql*), the intellection (*ʿāqil*) and the intelligible (*maʿqūl*). [The same for the imaginative forms which is both the subject and the object of imagination]."[622]

However, in the next levels, when the substance of the soul, by means of having more perceptions, becomes more developed, intensified and immaterial by acquiring the disposition of connecting to higher existential levels, it will be the soul itself that invents the mental forms of perceptions. He says in this regard,

> "however, with regard to imaginative and sensible knowledge, according to us, they do not inhere in the organs of imagination and sensation [...] but their substances are immaterial and their accidental [qualities] subsist by those substances, and all of them

[620] *Mullā Ṣadrā, Asfār*, volume 7, 147
[621] *Mullā Ṣadrā,Asfār*, volume 9, 136-40
[622] *Mullā Ṣadrā, Asfār*, volume 3, 317, quoting from Ubūdiyyat, volume 2, 86

> [i.e., the substances of imaginative and sensible knowledge with their accidents] subsist by the soul like the subsistence of all contingents by God the almighty."[623]

Or as in another passage he says, "the soul with regard to its imaginative and sensible perceptions is like an inventive agent (*fāʿil al-mubdiʿ*)."[624] Accordingly, for Ṣadrā, mental perceptions, including sensible, imaginative and intellectual, are immaterial and inventions of the soul, the soul which is unified with the giver of the forms in its highest existential level. On the other hand, these mental perceptions are like forms for the soul as matter; as he says, "the substance of human soul is like matter for perceptual forms through which another substance that is in perfection gets actualized."[625] Therefore, according to this framework, the soul's perceptions are not something other than the soul itself and there is a total unification between them. In fact, the soul is not a separate existence different from its perceptions, as the Avicennian theory of knowledge suggests. It is unified with its perceptions; as Ṣadrā says, "the intelligent [i.e., the intellectual soul] is unified with intelligible and imaginative and sensible soul are unified with their imaginative and sensible forms,"[626] and depending on the levels of the perceptions, the soul will be actualized. The stronger perceptions will make the soul more intensified and more abstract, more liable to becoming intellectual by unification with the giver of the forms.

As we saw earlier, for the majority of pre-Ṣadrian philosophers and Avicenna, the direct or immediate objects of knowledge are essences or the mental forms of external things. For instance, when we see a flower, the image of the flower is represented in our mind. With regard to different levels of perceptions, the more this image or essence is peeled off from its material qualities, like colour, smell and so on, it will become more abstract and varieties of perceptions will be formed. However, for Ṣadrā, the essences or mental forms or images of things cannot be the direct objects of our knowledge, because essences are metaphysically secondary, and it is existence that is primordial. Therefore, the immediate object of our perception or knowledge is the very *existence* of knowledge in our soul or mind, and depending on the level of intensity and weakness of this existence, its essence can be known secondarily or indirectly. For example, in our perception of a flower, if our knowledge is dependent on the presence of the external flower, the existence of our knowledge is in its weakest level of sensible existence, and the essence of our knowledge will be sense perception. However, if it is stronger, we can perceive it without the presence of the external object, and our perception will have an imaginative essence. In its strongest level, the existence of our knowledge can be devoid of any potentiality, as pure existence, and manifested as an intellectual essence. He says in this regard, "[for instance] for human, there is an *existence* in material world, and from this aspect it is not intelligible, sensible [and imaginative]; it has an *existence* in the common sense and imagination, and from this aspect it is

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[623] *Mullā Ṣadrā, Asfār, volume 3,* 305, quoting from, Ubūdiyyat, volume 2, 96
[624] *Mullā Ṣadrā, Asfār, volume 1,* 287, quoting from Ubūdiyyat, volume 2, 96
[625] *Mullā Ṣadrā, Asfār, volume 4,* 234, quoting from Ubūdiyyat, volume 2, 96
[626] *Mullā Ṣadrā, Asfār, volume 4,* 234, quoting from Ubūdiyyat, volume 2, 84

sensible [or imaginative], and cannot be otherwise; and it has an *existence* in the intellect, and in this respect it is intellectual and cannot be otherwise."[627]

In fact, for Ṣadrā, of the three modes of existence, i.e., material, imaginal and intellectual, the two latter ones are immaterial, but in different variations. All things might have different existential modes, and in this hierarchy, the material world is placed at the bottom, the world of forms or images in the middle and above the material world, and then the intellectual world at the top. Each upper level is superior to the existence of the lower levels and inclusive of them. Whereas for the majority of pre-Ṣadrian philosophers with Avicenna as their head, correspondence referred to the correspondence between the external essences and the ones that obtain in the mind. However, for Ṣadrā, following existentialism and intensity of existence, it gets an existential meaning, since each upper level contains the superior existence of lower worlds, and mental existence is located above material existence, so that when a mental form of something comes to our mind, it should contain with itself all the perfections of the material existence of that thing too, without having its imperfections. For instance, the mental existence of Ali as a human has with itself its material existence too, because the material existence of mental forms is the lower level of the immaterial world. Similarly, the intellectual concept of human being, which is the most universal, has with itself the lower levels of mental form, and the material existence of Ali as well.[628]

3.2.3 The immateriality of knowledge and knowledge in material things

Thus far, we have found that one of the most important consequences that Ṣadrian metaphysics can end up in, is the immateriality of all kinds of perception and knowledge. This leads to not only the immateriality of human souls, but also the immateriality of animal souls too. Therefore, unlike Avicenna, who ascribed an afterlife just to humans, for Ṣadrā, non-human animals share with us in having an afterlife as well. I will try to go into further details about this topic when I investigate Ṣadrian psychology and eschatology. However, in some passages, Ṣadrā speaks about perception in plants and inanimate mineral things too. Now I am going to see if this is consistent with his earlier doctrine of immateriality of knowledge.

We already found that Ṣadrā denies perception and knowledge for material things, as subjects and as objects of knowledge. For he says, "[since perception or knowledge is presence,] there is no presence for a [material] body to itself, nor [has any presence] to other things, this is also the case with regard to material attributes and properties associated with it. This is why, there is no life and awareness for [material] bodies qua bodies."[629] However, on the other hand, if the presence and existence are identical in meaning (*mushtarak maʿnawī*), then, "absolute existence is the same as absolute knowledge and awareness. This is

[627] *Mullā Ṣadrā, Asfār, volume 3,* 506, quoting from Ubūdiyyat, volume 2, 75
[628] see, for example, Ubūdiyyat, volume 2, 57-8
[629] *Mullā Ṣadrā, Asfār, volume 9,* 124

why divine mystics (*al-ʻārifūn al-ʼilāhiyūn*) believed that all existents know their God and pray to him, as the divine scripture [i.e., the Quran] implies."[630] In another passage, he explicitly attributes perception to plants and inanimate things, as he says, "there is another kind of perception for plants and inanimate things that mystics know."[631] How might these claims be consistent?

In some cases, Ṣadrā excludes material things from having knowledge and perception, however, in other cases, he includes them in the sphere of knowledge and perception. But how might we treat these two seemingly contradictory claims? It seems that we can resolve the issue in two different ways. On the one hand, if existence is a matter of degree, and existence and presence as knowledge are identical in meaning, then presence and knowledge would be a matter of intensity and weakness as well, and even inanimate existences would share the weakest form of presence and knowledge. As Tabātabāʾī says, "for him, knowledge is gradable (*mushakkika*) and encompasses everything, except that the material form is not called knowing, even though it shares in pure presence too,"[632] although due to its weakness, we might not call it perception and knowledge. He says in this case,

> "what is known as volition (*ʼirāda*) [...] and other things like that, flows like existence in all things. However, we probably do not call them in some cases with this name, because of habit and customary use of terms, or due to the concealment of its meaning for people or not appearing the proper effects from it for them, just like the bodily form, for us, is one of the levels of knowledge and perception, but it is not called knowledge except for the form which is abstract from mixing with non-existences (*ʼiʿdām*)."[633]

On the other hand, for Ṣadrā, in his doctrine of the relation between the permanent (*thābit*) and the flowing (*sayyāl*), he thinks of the whole of existence in terms of pure presence, actuality, indivisibility, as he says, "it requires that all existents in relation to God are pure actuality and pure presence, non-temporal and non-spatial, with no absence and lack. Because time with its renewal and space with its divisibility in relation to Him are like an instant (*ān*) and a point (*nuqṭa*)."[634] In other words, all things from the Divine perspective exist all at once, not as a gradual process. In fact, all things that we find as a gradual process in space and time exist for God like an indivisible instant or point. Since we are confined to the temporal and spatial aspect, we cannot perceive this aspect of things. Indeed, "material and temporal things in relation to their origins (*mabādīʾ*) are immaterial and non-temporal; i.e., with regard to them, which is [the level of] concealment (*khifāʾ*) and the unseen (*ghayba*), the effects of matter and time go away."[635] This can provide a ground according to which even material things in their very existence in God's knowledge are indivisible and immaterial too. In fact, what we people, caught in the level of matter, observe of all things in their material, multiple existence is the weak reflection of their immaterial existence,

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[630] *Mullā Ṣadrā, Asfār, volume 8*, 164
[631] *Mullā Ṣadrā, Mafātīḥ al-Ghayb*, 505
[632] *Mullā Ṣadrā, Asfār, Volume 6*, 340, quoting from Ubūdiyyat, volume 2, 43
[633] *Mullā Ṣadrā, Asfār, Volume 6*, 340, quoting from Ubūdiyyat, volume 2, 43
[634] *Mullā Ṣadrā, al-Mabdaʼ wa al-Maʻād, volume 1*, 203, quoting from Ubūdiyyat, volume 2, 44
[635] *Sharḥ Hidāyah al-ʼAthiriyah, Mullā Ṣadrā*, p. 330, quoting from, Ubūdiyyat, volume 2, 45

i.e., their intellectual rulers or the lords of species, in the inferior level of divisible matter, otherwise in their real existence they are all incorporeal. In the final analysis, they can also have some sort of knowledge of their origins and of themselves as well.[636] In other words, the whole of existence, including minerals and plants, in their supreme existence in the level of God's knowledge are presence and self-aware in different levels.[637] It seems that the other sort of perception and knowledge for plants and inanimate things that mystics informed us of can be realised in this way. I will try to deal with the question of perception in all creatures, plants among them, in more detail in the section 3.6.1.

3.3 Ṣadrian psychology

In this section, I am going to have a look at Ṣadrian psychology, and the status of animals in his psychology. I will investigate it in comparison with Avicennian psychology, since Ṣadrā's philosophy in many aspects can be seen as a positive or negative reaction to Avicennian philosophy.

3.3.1 The nature of the soul in Ṣadrian psychology

Like many aspects of his philosophy, Ṣadrā's views on the soul and its structure should be seen in the shadow of his existentialism, the doctrine of gradation and substantial movement. Unlike Avicenna, who thought of the nature of the soul in terms of his static metaphysical framework, and who believed in a decisive and sharp distinction between the nature of the human soul and his body, Ṣadrā thinks of the soul in continuation with the body in its progressive procedure of movement in its substance. For Avicenna, as we saw, the human soul in its nature is an entirely distinct substance, different from the bodily material substance. On the other hand, regarding vegetative and animal souls, he thought of them as *material souls* which cannot survive the death of the body. In fact, for Avicenna, the human soul, from the beginning and in its nature, no matter in what levels of maturity it might be, infant, child, adult or aged, is immaterial (*rūḥānīyat al-*

[636] One possible source for the idea of awareness in the whole existence, for Ṣadrā, can be Abū al-Barakāt al-Baghdādī. According to him, in his work, the Kitāb al-Mu'tabar, whereas the human rational soul and animal souls are self-aware and aware of their self-awareness, the vegetative souls and minerals, on the other hand, have some kind of awareness of themselves in a relation with their actions and motions, without being aware of their awareness of those actions and motions, i.e., having reflection. In fact, the main idea that makes him to think of minerals and vegetative souls as aware of their actions and motions come from the inherent teleology of the forms or essences of entities according to which, to be directed at a goal, it requires that the entity be somehow aware of itself to recognize the right way of goal-directed behavior at each set of circumstances. (See: Kaukua, 2016, 85-87) We will see shortly, that how the teleological doctrine of existence plays a crucial role in Ṣadrian metaphysics and his idea of the whole existence as a living entity which heads towards God.

[637] I will discuss in more detail about the immaterial existence of all things in the form of their intellectual rulers or lords of species in the section 3.5.1.

ḥudūth), and animal soul also, no matter what kind of animal and in what level of mental capacities it might be, is material in its nature.

Therefore, regarding the relation between the body and the soul, the Avicennian view believes in a profound dualism between two entirely distinct substances, especially in the realm of the immaterial human soul. In fact, for Avicenna, the body as a distinct substance from the soul, works like an instrument and the immaterial soul deploys it to have perceptions and acquire perfections. However, the relation between them in their existences is not an essential relation, but rather accidental, as is evident in Avicenna's floating man argument, which shows that we humans are entirely immaterial substances. Ṣadrā says about this view, "[Avicennian philosophers hold] that the companionship (*ṣaḥāba*) between the soul and the body is merely an accidental coexistence (*maʿiya*), with no essential attachment (*ʿalāqa*) between them."[638] Ṣadrā describes this view regarding the relation between the soul and the body as the existence of the soul in-itself being for-itself, which rules out any kind of essential relation of the soul with the body and its very nature.[639]

Against this background, Ṣadrā thinks that this decisive dualism between the substances of the human soul and the body ends up in some absurdities. Since the mainstream philosophers, Avicenna among them, believed in the immateriality of the human soul in its very nature, and only needs the body as something incidental to it for coming into existence and for its activities,[640] this entails that the immaterial soul, co-existing incidentally with the material body, loses its essential characteristics of being immaterial which is absurd, because the essential features of something cannot be eliminated. In other words, an entirely immaterial substance, like the human soul, cannot lose its essential characteristics in that incidentally "occurred to it to take refuge to association with the body and separating from the holy world and pursuing the elemental things. So, the consequent (*tālī*) is absurd (*bāṭil*), because the essential characteristics (*al-dhātī*) cannot cease (*lā yazūlu*), and with regard to the separate substance, there cannot occur anything non-essential to it, since the substratum for incidents is the material body and its concomitants."[641]

The other reason for Ṣadrā's refusal to admit a non-essential relation between the body and the soul is that it entails the problem of arbitrariness (*tarjiḥ bi-lā murajjiḥ*) and violates the principle of sufficient reason. He thinks that if there was no essential relation between the body and the soul, there would be an infinite number of souls, with no necessary association between, for instance, Zayd's soul and his body, rather than Amr's body; because the giver of the forms is timeless and in the same relation with all moments of time. Therefore, emanating Zayd's soul in time A rather than time B, and on Zayd's body rather than Amr's, would be arbitrary and with no sufficient reason, if there was no

[638] *Mullā Ṣadrā, Asfār, volume 8*, 381-82
[639] See: *Mullā Ṣadrā, Sharḥ Hidāya al-Aʾthīriyah*, 386
[640] See: *Avicenna, al-Nafs*, 289-90
[641] *Mullā Ṣadrā, Asfār*, volume 8, 12

essential or necessary relation between the body and the soul, as Avicenna and most of mainstream philosophers thought.[642]

In other passages, he says that, "since the efficient cause is immutable, then the action issued from him after the time that it wasn't already issued [i.e., it is temporal]; it requires that, if it happens at this time rather than a time before that, it must be due to the prerequisites for its coming to existence (*ḥudūth*) [i.e., the predisposed body] are realised at this rather than an earlier time."[643]

The essential relation between the soul and the body, for Ṣadrā, might resolve the issue by seeing the body and the soul not as two entirely separate and independent substances, but rather as a single and unified existence, with different modes and manifestations in different times. This can explain why Zayd's soul associates with the specific body of Zayd, rather than Amr's. In other words, Zayd's soul is not an entirely separate and independent substance which is generated all at once in some point, by falling into the material substance with no essential association with it. Rather, Zayd's soul is a continuation of Zayd's body, but in higher and more intensified existence. It is Zayd's body, which in its progression transforms into Zayd's soul, in a continuous and gradual process. In criticising Avicenna's idea and explaining his own view, Ṣadrā says,

> "the human rational soul for the Shaykh [i.e., Avicenna] and his followers is an entirely immaterial substance, and its association with the body is merely for managing (*al-tadbīr wa-l taṣarruf*) and acting. [...] However, the truth about the soul's substance is that even though it exists in a single existence, its unity is of another kind. It is essentially in the body and [at the same time] essentially separate from it; it is in it and [at the same time] it is not in it, in terms of its [different] modes all in a [single and] collective existence (*wujūd al-jam'ī*)."[644]

For Ṣadrā, the soul in its very nature should be material, otherwise, the bodily activities couldn't be attributed to it. Therefore, unlike Avicenna, Ṣadrā argues for the unification between the body and the soul. He says, "the nature that the soul employs in its transitional movement (*ḥarakat al-'intiqāl*) is not disobedient towards the soul, because it is a soldier of the soul, but rather that nature is unified with the soul in its essence, in the sense that the descended soul is realised in that way in that level."[645] The unification between the body and the soul is like the unification between matter and form, "the soul and the body are unified (*'ittiḥādī*) like matter and form, because it [i.e., the soul] is the totality (*tamāmihī*) [i.e. perfection or telos] of the body, and the totality [perfection/telos] of something is the thing itself, but in its most intensified and perfect way."[646] Moreover, "the soul's embodiment in the form of bodily existence doesn't contradict with its immateriality in its immaterial existence."[647] For Ṣadrā, the soul is not a soul from the beginning, but rather it is the material-bodily form that in its progression gradually turns into the immaterial soul. For instance, as a

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[642] *Mullā Ṣadrā, Al-Mabda' wa al-Ma'ād,* volume 2, 517
[643] *Mullā Ṣadrā, Asfār, volume 8,* 381
[644] *Mullā Ṣadrā, Sharḥ wa Ta'liqe-ye Sadr al-Mute'allehin bar 'Ilāhiyāt-e Shifā, Volume 1,* 1061, quoting from Ubūdiyyat, volume 3, 243-4
[645] *Mullā Ṣadrā, Shawāhid al-Rubūbiya,* 87-8
[646] *Mullā Ṣadrā,Asfār, volume 9,* 106-7
[647] *Mullā Ṣadrā, Mafātiḥ al-Ghayb,* 508

fertilized sperm, Zayd is a combination of inanimate minerals. When it gradually turns into a fetus, that material thing becomes a vegetative soul with the faculties of nutrition, growth and reproduction. When Zayd is given birth as an infant, that vegetative soul gradually obtains more intensified capabilities, like perception and voluntary movement, which turn it into an animal soul. Finally, when Zayd gets more mature, with more intensified capabilities, like intellect and the perception of universal concepts, he turns into a human soul. The process of formation of the rational soul for a human being, and the animal soul for other species, is gradual and progressive.

3.3.2 The existential quality of the souls and the floating animal as a case for the imaginal immateriality of animal soul

According to Ṣadrian metaphysics, there can be four distinct kinds of substances, although the boundaries between them are not as strict and decisive as they are in Avicennian metaphysics. The status of these substances are hierarchically ordered, as bodily and material substances occupy the bottom of the scale and intellects the top. Vegetative and animal souls occupy the intermediate levels. Like in the case of existence, the scale is a matter of gradation: the more the substances get incorporeal and immaterial, the more intensified they become , thus occupying a higher level in the hierarchy.

In this hierarchy, at the bottom, there are *extended material substances* that are entirely dependent on matter for their existence. All elemental forms and bodily substances, which are extended in the three dimensions of height, width and depth, can be placed in this class. After this level, there are *non-extended material substances* that even though they are material, they are more intensified and less material. Ṣadrā thinks of plant souls and also some animal souls in this level. They are material because like bodily forms, they need a substratum on which to inhere. However, since the inherence of plant souls on matter does not make them divisible, and since they are only divisible by virtue of the divisibility of matter as their substratum, they are less corporeal than the lower substances.[648] Like Avicenna, it is in this level that Ṣadrā talks about soul, instead of form. He says in this regard,

> "the forms that act in matter not by means of other faculties are existentially unified with matter, like elemental forms, […] since they are purely material and divisible due to the divisibility of the matter [on which inhered]. However, the forms that act by means of employing other faculties, there will be necessarily for that faculty an intermediary instrument inferior than those forms. Then those forms that are like that in their essences are not of matter [i.e., they are indivisible despite the divisibility of the matter on which they inhere], and this elimination (*'irtifā'*) of the inferiority of the bodily matter, a fortiori, is of the soul's nature, since it participates in the divine realm (*al-malakūt*) and immateriality, though by a small share."[649]

Unlike forms that have uniform movements and employ no instruments, the souls can issue varied movements and deploy instruments and organs to perform

[648] Ubūdiyyat, volume 3, p. 17, 92
[649] *Mullā Ṣadrā, Asfār, volume 8,* 16-17

a variety of activities. He says, "the existence whose acts cannot be multiple is God exalted. [...] The existence whose acts are multiple but without conflict and opposition is the simple agent [like the form]. […] The existence whose acts are multiple, conflicting and opposing each other is [...] the soul."[650]

Ṣadrā's general definition of the soul is in the same terms as the Avicennian one, as he defines it as, "the soul [in the universal sense], i.e., the worldly soul as mentioned here, according to us, is the first perfection of a natural organic body."[651] As we can see, he uses the same definition of the soul that Avicenna, following Aristotle, used to deploy. The main difference, in fact, lies behind his metaphysical framework which sees the soul as a changing process in its existence, as opposed to the Avicennian framework in which substances are fixed.

It is the animal soul which occupies the third level of the scale, higher than the vegetative soul, as an *extended immaterial substance*. Unlike Avicenna, who thought of the world in terms of two entirely different realms of material and immaterial substances, or the realm of nature against the realm of the intellect, and for whom vegetative and animal souls were material substances which perish with the death of the body, Ṣadrā thinks of another kind of substances between nature and intellect, as imaginal substances. These sorts of substances have some characteristics of material substances as well as immaterial ones. Following this idea, influenced by Suhrawardī, he thinks of another kind of immateriality and incorporeality as the imaginal one. For him, the existential quality of imaginative forms should be seen in terms of imaginal immateriality. Suhrawardī says, "you have found that the inherence of forms in eyes is impossible, similarly it would be impossible to inhere in a part of the brain. […] And imaginative forms do not inhere in [any material substratum], but rather they are floating (*mu'alliqa*) with no substratum [i.e., they are immaterial] […] and they are manifesting in imagination which is floating [as well, i.e., being immaterial]." [652]

For Avicenna, body and matter are correlated. This is why an imaginative body or form, like the imaginative form of Zayd, should be material, since it has material accidents like width, height, depths, colour, position, etc. To exist, all these characteristics need to inhere on matter as their substratum. Since the only perceptions that animal soul can have are imaginative and estimative perceptions, then as a substratum for these kinds of perceptions, it should be material. However, Ṣadrā, following Suhrawardī, thinks in a different way. He thinks that there might be immaterial bodies, and he thinks of imaginative forms in this way. He says about the imaginal existence (*al-wujūd al-khayālī*) "a formal existence, unconditioned by the presence of matter and sense perception except when it comes to existence (*'ind al-ḥudūth*)."[653] In other words, even though to have the imaginative forms of Zayd, we need to see him at least one time, but

[650] *Mullā Ṣadrā, al-Ta'liqāt 'alā Sharḥ Ḥikmat al-'Ishrāgh*, 467, quoting from Ubūdiyat, Volume 3, 61
[651] *Sharḥ Hidāyat al-'Athiriya, Mullā Ṣadrā*, p. 179, quoting from Ubūdiyat, Volume 3, 74
[652] Suhrawardī's Majmū'a Muṣannifāt, volume 2, 211-12. See also, ibid., 230-35
[653] *Mullā Ṣadrā, Asfār*, volume 9, 95

after that we can imagine him with no need for his material presence. In fact, the imaginative existence of Zayd is material in its generation, but immaterial in surviving as an imaginative form, since it does not need the presence of the material object to be retrieved.

On the other hand, the imaginative forms or bodies can interpenetrate into each other, because "the hindrance for interpenetration (*dukhūl*) of some bodies into the space (*ḥayyiz*) of some other bodies is not just due to having magnitude (*miqdār*), but rather due to matter."[654] In other words, the reason for the interpenetration of imaginative forms, for instance in our dreams, or when we daydream, is that they do not inhere on matter, even though they have some material characteristics like colour, height, width and so on. It is in this sense that Ṣadrā thinks about imaginal immateriality: "if it is said that any form [i.e., any actuality] without matter is pure intellect[ual form], [...] I would say that [...] abstraction from it [i.e., matter] does not require abstraction from magnitude and dimensions entirely, as with the intellectual forms."[655] However, "the ideal phantasms (*al-ashbāḥ al-mithālīya*) [...] have another kind of materiality, in the sense that they have no [material] direction and no space, having another kind of embodiment (*tajassum*), in the sense that they have [ideal] magnitude, [directions] and forms."[656] In another text, he says, "the form without [material] position [i.e., the imaginal form], and anything else with no [material] position, is not possibly inherent in something with [material] position. Therefore, it would not be present for the material faculty, whether in terms of inherence or in an active way or in terms of positional opposition. Therefore, the percipient for such a form would be an immaterial faculty, and it cannot be the intellectual faculty, because the objects of the intellect are indivisible intelligibles."[657] In our discussion about the resurrection of animal souls, we will see more arguments from him for the immateriality of imagination.

Unlike Avicenna who thought that due to the materiality of imaginative forms, the percipient of imaginative forms, i.e., the animal soul, must also be material, Ṣadrā concluded that due to the immateriality of imaginative forms, the percipient of these perceptions, i.e., the animal soul, must be immaterial. Thus, against Avicenna's floating man thought experiment, Ṣadrā proposes a new version of this argument, indicating the immateriality of the imaginative power and the animal soul, i.e., the *floating animal*. He says in this regard:

> "another argument indicating that the animal isn't this sensible body is that if you suppose that the animal is created all at once and in an entire shape, but its sensations are concealed (*maḥjūb*) from perceiving external objects, and it is like floating in a vacuum or in an open air in such a way that there would not be any friction of the air with its body, and it wouldn't perceive any qualities of things, and there wouldn't be any contact between its organs, in this situation, it would still have self-perception (*yadriku dhātahu*), while it would be oblivious of its external and internal organs. Or rather, it would attest to its essence whereas would not recognize any [material] magnitude, length and width, and no direction for it. Even if it imagined a position, directions, or organs [for itself] in that condition, it wouldn't imagine them as a part of

[654] *Mullā Ṣadrā, Asfār, volume 4,* 47, quoting from Ubūdiyat, Volume 3, p. 89
[655] *Mullā Ṣadrā, Asfār, volume 9,*18
[656] *Mullā Ṣadrā, Asfār, volume 1,* 300, quoting from Ubūdiyat, Volume 3, p. 99
[657] *Mullā Ṣadrā, Asfār, volume 3,* 478, quoting from Ubūdiyat, Volume 3, p. 122

> its essence. It is obvious that that of which it is aware is other than that of which it is oblivious; therefore, its identity (*huwiyatihī*) is different from all of its organs."[658]

As far as an animal has some level of imagination, it should be seen as an immaterial extended substance, with an imaginal immateriality. It needs to be mentioned that, following the doctrine of gradation, all animals do not occupy the same status in the scale. Those endowed with only sense perception occupy the bottom of the scale, a locus slightly higher than plants. Even though they have a more intensified existence than the vegetative soul, they cannot reach the level of imaginal immateriality. It is those animals with imagination that have ideal immateriality, with a higher status than the lower forms endowed with sensation alone.

Regardless of the immateriality of imaginative forms that gives the animals with imagination a higher status and an imaginal immaterial soul, another reason for the immateriality of animal soul is related to the role of the soul in issuing such forms. For Ṣadrā, since the soul's role with respect to the imaginative forms is active rather than passive, like in the sense perceptions, in the sense that it can retrieve them whenever it wants, especially forms with no external objects, i.e., fictional images, like the chimaera, this gives the imagination an agency and mere independency from material things. He says,

> "this soul with regard to those [ideal imaginative] forms is not passive, but rather it is active. [...] Therefore, all those imaginative and estimative forms in the mind are creation (*'inshā'*) and invention (*'ibdā'*) [of the soul] in an active way, rather than

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[658] *Mullā Ṣadrā, Asfār, volume 8,* 44. Kaukua has raised some doubts about the validity of Ṣadrian version of thought experiment originally expressed by Avicenna. According to him, Ṣadrian floating, or as he uses flying, animal loses the plausibility of the original argument presented by Avicenna. Because Avicenna wants us to suppose ourselves in a floating situation in order to bracket or suspend those aspects of experience that prevent us from having access to the primitive awareness of ourselves, a kind of self-awareness that results from the shared nature of humans in having the rational soul. Ṣadrā, on the other hand, wants us to suppose a situation that we have a direct access to animal kind of self-awareness. But, according to Kaukua, this betrays the main principle of the original argument, according to which having a shared nature between interlocutors with the situation of floating man in argument plays an important role, a principle that seems to be absent from Ṣadrā's version of the argument, because humans and animals differ by their nature. (Kaukua, *Self-awareness in Islamic Philosophy*, 165-66)
But, I think the argument should be seen in the grand picture of Ṣadrian metaphysics. As it will become clear shortly, the Ṣadrian version of the argument, unlike the Avicennian one, targeted to show the imaginal self-awareness, rather than the intellectual one. Here there are some points that can be helpful that I'll mention them in more detail in next sections of this chapter. Firstly, the human soul, in its substantial movement, before reaching the level of rationality, it needs to acquire animality, with its imaginal kind of self-awareness. Secondly, reaching the level of intellectual soul, and subsequently intellectual self-awareness, according to Ṣadrā, would be a characteristic of a minority of humans, namely, perfect humans. Thirdly, for Ṣadrā, most of humans will participate with animals with active imagination in having an imaginal kind of resurrection. So, these show that humans should be able to have access to animal kind of self-awareness, i.e., the imaginal one, because it's the situation of the majority of humans. Even with regard to the minority with intellectual kind of self-awareness, they still seem to be able to suppose it, because it has been their existential level before reaching the intellectual status. All these indicate more continuity between human and other species of animals, unlike Avicennian metaphysics that suppose insurmountable boundaries between humans and animals. I think, Kaukua's criticisms of the Ṣadrian version of thought experiment have been raised in accordance with the main doctrines of Avicennian metaphysics.

> formation and creation in a passive way, and it is like the emanation of heavens from the higher principles (*mabādī' al-'āliya*). [...] Those [imaginative and estimative] forms are identical with the soul's will and volition in imagining them."[659]

In other words, as soon as the soul intends to have such perceptions, they are created by it actively, just like emanation of heavens from the higher causes. However, this agency is a matter of gradation. Animals with higher mental perceptions have a higher status compared to the lower ones.

The fourth kind of substances, according to Ṣadrā, are *immaterial non-extended substances* or intellects that are entirely immaterial with no accidental properties. While Avicenna thought of the human soul in its very nature as having this kind of immateriality, for Ṣadrā, this is the status of very few humans. For him, most humans cannot reach the level of intellectual materiality. They can only reach the rational level, which is immaterial in the imaginal sense, like in the case of the animal soul, but more intensified. In fact, since humans have the capability of intellection, whether they reach it or not, this can give them a higher status compared to other species of animals that lack the capacity of becoming intellectual. He says, "the rational soul per se belongs [to the body] as if it is imperfect intellect (*ʿaql nāqiṣ*) in relation to (*muḍāf*) sensation,"[660] and "the human soul is associated with the animal soul before it becomes an actual intellect, therefore, it is like an isthmus (*barzakh*) between both sides [i.e., the intellect and the imagination]."[661]

The main difference between most people that remain on the level of rationality and those very few ones who have reached the level of intellection is related to their perceptions. While the former have a vague conception of universals, associated with imaginative and estimative forms and intentions, the latter group have access to universals in themselves, not mediated by imaginative forms. In other words, the majority of people have impure rational concepts by means of imaginative forms, and only a minority of them can have pure intellectual concepts. Ṣadrā says,

> "the minority of people might have this kind of perception [i.e., the purely intellectual kind]. And for the majority of humans, it is possible to imagine, say, a human form, if they see another single person and they can apprehend that this single person looks similar to that [i.e., another human form], and they can apprehend the aspect of identity between them which is different from the aspect of difference in imaginative perception, just like in the case of perceiving the aspect of identity between [different] waters, say, in terms of sensation, and knowing that all [different] waters are water, [...] despite the differences in measure and direction between the [particular] individual imaginative forms of water."[662]

In other words, the majority of people, without having a pure clear-cut universal concept of water, unlike the minority, they just can have a vague common image of water, which is still particular.

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[659] *Mullā Ṣadrā, Asfār, volume 8*, 236-38
[660] *Mullā Ṣadrā, al-Ta'liqāt 'alā Sharḥ Ḥikmat al-'Ishrāgh*, 516, quoting from Ubūdiyat, Volume 3, pp. 94-5
[661] *Mullā Ṣadrā, Asfār*, volume 9, 371, 372
[662] *Mullā Ṣadrā, Asfār*, volume 8, 284

In fact, the majority of people have a vague, impure conception of universals, and they can apprehend an aspect of identity by means of imaginative forms with some particular properties. Consequently, following the doctrine of unification between the knower, the known, and the knowledge, and the relation between the body and the soul as matter and form, the majority of people as percipients are in the level of imaginal immateriality, following their knowledge. This is the case for other species of animals as well. They are also in the level of imaginal immateriality. However, it should be noticed that like all phenomena, this kind of immateriality is also a matter of intensification, and all animals are not at the same level, nor are all humans. Some species of animals, which are in the highest form of animality and close to the lowest forms of humanity, might get close to human species in terms of their capabilities, as intermediary species. For Ṣadrā, monkeys can be located at this level in the hierarchy. They are the climax of animal faculties and the nadir of human faculties.

3.3.3 The nature of the soul's faculties in Ṣadrian metaphysics

We already found that one of the main differences between form and soul is that the soul as a nexus for different faculties can deploy different instruments or organs to perform a variety of activities. In fact, the soul is a more complex form, with a variety of functions. This is a point about which Ṣadrā agrees with Avicenna. However, the main difference between them, like the relation between the soul and the body, is about the nature of faculties and their relation to the soul.

For Avicenna, the relation between the soul and its faculties is like between substance and accidental properties. The soul as the substance can deploy different faculties and organs to perform different activities, without these different activities and perceptions affecting the substance of the soul. They just might affect the soul in its accidents. On the other hand, for Avicenna, faculties work merely as material instruments without being aware of themselves and their contents. In *Ta'līqāt*, Avicenna says,

> "material bodies and faculties, they do not have any essence of their owns, but rather for other than themselves (*li-ghayrihā*) [i.e., having accidental existence], that is, the soul. Therefore, they do not perceive their essences, like the visual faculty, as it doesn't perceive its essence [consequently, would not perceive what they receive, but rather it would be the soul which perceives what inheres on the faculties], and the faculty of touch that it doesn't perceive its essence."[663]

The soul deploys them for different kinds of perceptions, just like an astronomer who deploys a telescope to observe the celestial bodies. It is the astronomer who has visual perception, rather than the telescope. As Ṣadrā says, "the vegetative and animal faculties for him [i.e., Avicenna] are accidents or active and passive qualities,"[664] or, "he [i.e., Avicenna] said that the rational faculty is the principle or the substantial truth in human, and other sorts of animal faculties, of passive

[663] *Avicenna, al-Ta'līqāt,* §322
[664] *Mullā Ṣadrā, Asfār, volume 5,* 251, quoting from Ubūdiyyat, volume 3, 179

and active principles, are accidents subsistent (*qāʾima*) on it or on the body."[665] In fact, for Avicenna, the soul and its faculties are different existentially and also in their essences.

However, based on the doctrine of the unification between the body and the soul, Ṣadrā thinks that the relation between the soul and its material faculties cannot be like the one that Avicenna and mainstream philosophers thought. The issues related to the decisive dualism between the human soul as an immaterial substance and the material body are the case regarding the soul and its material faculties as well. The most important one is related to explaining the causal relation between an immaterial substance and a material substance with its multiple faculties, or to explaining the interaction between them. Putting it in a familiar way, it is like transmitting electricity from a piece of metal to a piece of wood. If they are two entirely distinct substances, how can we ascribe multiple activities of the faculties of a material substance to a simple immaterial soul? It is due to this issue that Fakhr al-Dīn Rāzī argues for the existence of the soul as the percipient of all kinds of perceptions, universal or particular, and refutation of the multiple faculties for the soul, as he says, "the soul by itself performs all the activities [not by means of faculties] but rather by means of multiple instruments [i.e., the bodily organs]. And this is the truth for us."[666] Ṣadrā, influenced by Fakhr al-Dīn in this case, takes his own use of Fakhr al-Dīn's argument, not for the refutation of faculties, but for the unification of the soul and its faculties. Just like the unification between the body and the soul, the multiple faculties are also unified with the soul, or as he says, "the soul is the totality of faculties and this is not the refutation of faculties, as was believed earlier [by Fakhr al-Dīn]."[667]

We already found that for Ṣadrā, the soul is the continuation of the body in its higher existence. They are different manifestations of the same existence which is a matter of more or less. The same idea pertains to the soul and its multiple faculties. In fact, the multiple faculties are nothing more than the soul itself in its different modes and manifestations, and the soul is the totality of all of these multiple faculties in a higher existential level. Unlike Avicenna, who thought of the soul and its faculties as existentially distinct and different, Ṣadrā holds that there is unity between them.

According to Ṣadrā, the causal relation between the soul and its different faculties can hold if they are unified, instead of being two entirely different substances. He writes:

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[665] *Mullā Ṣadrā, al-Taʻliqāt ʻalā Sharḥ Ḥikmat al-ʾIshrāgh*, 482, quoting from Ubūdiyyat, volume 3, 179

[666] *Mabāḥith al-Mashriqiya*, Fakhr al-Dīn al-Rāzi, volume 2, 405, quoting from, Ubūdiyyat, volume 3, 217. It seems that Fakhr al-Dīn Rāzī in his criticism of refusing faculties relies on the earlier criticism of Abū al-Barakāt al-Baghdādī. According to Abū al-Barakāt, postulating the soul with really distinct faculties, as Avicenna thought, entails a corresponding diversity of subjects of experience. For him, the multiplicity of the soul's activities comes from not multiplicity in the soul, because the unity of the soul is intuitively experiencing behind all of perceptual activities, but rather from different spatially material instruments and organs that the soul employ them. (See: Kaukua, 2016, 79.)

[667] *Mullā Ṣadrā, Asfār*, volume 8, 227

> "we say: [...] what made you believe that the soul is the nexus (*ribāṭ*) for these faculties? If you meant that the soul is the cause for their existences, this does not suffice for [saying] that it is the soul itself [as cause] which is sensible, nutritive, moving, stationary, laughing, and writing."[668]

It is just by means of following the doctrines of gradation, substantial movement and existentialism that it can be realised, as it will become clear shortly. Since the faculties are the soul itself, however, in its descending and dissipated form, they should be also aware of their perceptions rather than being material instruments that are not aware of their perceptual contents. Ṣadrā says in this case,

> "we say that we know ourselves and we know that we hear, see, imagine and intellect. [...] If it is said that this refutes you since you have supposed a single immaterial faculty [i.e., the human soul] that is hearing, seeing, sensing, having imagination and intellection, then I would say that these faculties are branches and effects for the intellectual faculty, and that's the totality (*tamām*) of all of these faculties and their agents. And the totality and the agent is capable of all the activities that the imperfect and the effect are capable of, but not conversely, because the effect of an effect of an agent is the effect of that agent. [...] Therefore, it is proved that what is attributed to all perceptions is an immaterial single faculty [i.e., the soul] and this is what we sought for."[669]

The Ṣadrian doctrine of the unity of the soul and its faculties, and the faculties as the modes and manifestations of the soul itself, as well as the unity of the knower, the known and knowledge lead him to adopt a completely different approach compared to Avicenna. Unlike Avicenna, who thought of the relation in terms of substance and accidental properties, for Ṣadrā it is like the relation between matter and form. Any perception that the soul might obtain would affect the substance of the soul like forms that actualize and determine the matter due to the possibility of substantial movement. This is why the more the perceptions become immaterial, the the more the soul becomes immaterial in its substance. In other words, the existential level of the object of perception determines the existential level of the soul as the subject.

In a nutshell, following the idea of the unification between the body and the soul, and the soul as the intensified existence of the body, such a spectrum-like picture also applies to the soul and its faculties. The soul is the totality, or the superior existence of the faculties, and the faculties are the soul, however, in an inferior mode. Whatever is perceived by the faculties, in fact, is the perception of the soul itself. Since the faculties are present for the soul itself immaterially, because they are existentially unified, whatever they perceive in their inferior and dissipated existence will be present for the soul as the totality of all the faculties.

3.3.4 Hierarchy of faculties and the animal estimative power as descended intellect

Like Avicenna, who thought of animals as capable of having internal and external sensory powers, Ṣadrā also thinks of non-human animals capable of

[668] *Mullā Ṣadrā, Asfār, volume 9*, 59
[669] *Mullā Ṣadrā, Asfār, volume 8*, 301-2

internal and external perceptual powers. However, his account of animals' mental faculties should be seen in the shadow of his metaphysical views regarding the immaterial nature of knowledge, the immateriality of imagination, his existentialism, and his gradualist views concerning existence.

In the chapter on Avicenna, we found that he thinks of the whole universe in a hierarchical way. At the bottom of the scale, there are simple elemental forms that mix together to form bigger units, or minerals . In the next step, there are vegetative souls capable of nutrition, growth and reproduction. Then there is animal soul that occupies the next rank in the scale and has all the capabilities of the lower levels, as well its own specific animal faculties, i.e., perception and voluntary movement. And finally, there is the human being, who occupies the highest rank, at least in the sublunar world, having all the vegetative and animal faculties, as well as intellection, as a differentia of human species. Following Aristotle and Avicenna in this picture of the world in a] great chain of being, for Ṣadrā, the world and its creatures are designed in a hierarchical way in the same manner. He says,

> "the levels of the great universe, since all are connected by a single nexus (*ribāṭ*), and some are connected to others, like a single chain, movement in bottom of which will move its top, similarly the effects and states will ascend from inferior to superior and will descend from superior to inferior, as those who firmly rooted in knowledge (*rāsikhūn fī l-ʿilm*) know."[670]

Following a general principle from Avicenna and Aristotle, he says,

> "know that every nature of species of all kinds of creatures, as far as it has not realised the perfection of the species lower than it and has not realised their faculties and concomitants [in its own species], it will not pass into the more perfect and noble species [of its own]."[671]

Therefore, every higher species in this scale encompasses the faculties of the lower species below itself.

Like the hierarchical nature of the system of the world, the animal faculties have the same pattern, ordered from the simplest and the most imperfect ones to the more complex and perfect faculties, like the existence which is the matter of gradation. Even though plants have a more elevated and more complex existence than minerals, due to the lack of perception and movement, which are the main animal faculties, they occupy a lower status compared to animals. For Ṣadrā, the reason that plants are devoid of perception is the lack of movement in them, i.e., movement for seeking food or towards the pleasant, or movement in the form of escaping from the unpleasant. One cannot claim that they might have perception without having movement, because this would entail perception being in vain, since perception is for movement.[672]

Like Avicenna, Ṣadrā also distinguishes between external and internal sensations. With regard to animals' external senses, he enumerates them exclusively in terms of the five senses, and rejects the existence of another, sixth

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[670] *Mullā Ṣadrā, Shawāhid al-Rubūbiya*, 367
[671] *Mullā Ṣadrā, Asfār, volume 8*, 150
[672] *Mullā Ṣadrā, Asfār, volume 8*, 156; see also: *Avicenna, Al-Ḥayawān*, 93; *Avicenna, al-Nafs*, 91

sense. Referring to Avicenna, he mentions the reason for that as follows: since animals are lower than humans, and higher species should have the perfections of the lower ones, since the number of senses in human as the most perfect animal is five, other species of animals cannot have more senses than the human species.[673]

With regard to external senses, for Ṣadrā, like Avicenna, the most primitive sense is *touch*, which works as the baseline of animality and having perception. It is touch that warns animals of the harms and dangers of their environments, and in this way helps keeping the mixture of the body balanced, not falling to deficiency or excess. Since it plays an important role for the survival of animals, "it requires that the whole body is attributed to it,"[674] and, "it can be found in all animals, even in a worm that lives in the mud, since when one pricks it with a nail, it contracts itself to escape, unlike plants which when they are cut, do not contract themselves because they do not feel."[675]

Following touch, depending on the level of the complexity of animals, there will be other kinds of sense perceptions. In fact, all other kinds of external sensations are a kind of touch, but with regard to different sensory objects, as Ṣadrā says, "the first levels of sensations is touch, because it is more needed. This is why it is [almost] inclusive of all animals and flows in all organs, except a few."[676] After touch, it is *taste* which works as recognizing what is compatible or incompatible with the mixture of the animal. After that, it is *smell* which makes the animal capable of perceiving things in more distant areas. Since smell cannot make animals aware of the direction of the smell, the next perception is *vision*, making animals aware of the farthest things and also of their directions. Finally, and as the most advanced sensory perception, it is *hearing* that can perceive unseen things behind barriers, or in further distances than even eyes can reach.[677]

Like Avicenna, Ṣadrā also thinks about another kind of senses, i.e., internal senses, and like his predecessor again, he distinguishes between five of them. "It is because of the lack of internal senses that some animals like butterflies regularly fall into fire and get harmed, because after their first perceptions [of the fire], if they had imagination and memory, they wouldn't return to what harmed them earlier."[678] Since in classifying the internal senses Ṣadrā follows Avicenna, as we discussed thoroughly in chapter on Avicenna, I will not repeat them again thoroughly. It suffices to give a general overview of them and pay more attention to his difference with Avicenna in this regard.

The main difference between Ṣadrā and Avicenna regarding the relation between the soul and its faculties, as we already mentioned in detail, is that for Avicenna the soul has an entirely passive role in the process of perception, and the organs of perception passively receive a representation of external forms and then transmit it to the soul by means of spirit or the mental powers resided in any

[673] *Mullā Ṣadrā, Asfār, volume 8*, 200-1; 204
[674] *Mullā Ṣadrā, Asfār, volume 8*, 159
[675] *Mullā Ṣadrā, Asfār, volume 8*, 157
[676] *Ibid*.
[677] *Mullā Ṣadrā, Asfār, volume 8*, 157
[678] *Mullā Ṣadrā, Asfār, volume 8*, 158

organs. He says in this regard, "and the substance of the spirit is a subtle body, composed of the steam of elemental mixture, [but] a subtle mixture on which the mental faculties are mounted,"[679] and in fact, it works as intermediaries to transmit data from the bodily organs to the immaterial soul as the real percipient. However, as we mentioned earlier, a representation of material form still seems to have material properties, and inhering it on an immaterial soul should make it divisible and material as well. It is in this context that Ṣadrā thinks of the active role of the soul in perception. In fact, after facing an object, the soul would make its own version of the material form of the external object, that this form is immaterial by itself, because of the immaterial nature of knowledge in Ṣadrian metaphysics. It is in this way that Ṣadrā tries to resolve the issue that Avicennian theory of perception faces.

The first internal sense is *common sense* (*ḥiss mushtarak*) to which all external senses pour their sensory data. Ṣadrā says, "common sense for all [other philosophers] is a faculty located in the former part of the brain, but for us, it is a faculty of the soul (*quwwa nafsāniya*) that the spirit (*rūḥ*) located in the front [ventricle] of the brain is disposed to receive."[680] The arguments that Ṣadrā provides for the existence of such a faculty are largely the same as Avicenna's.[681]

Then there is *imagination* (*khayāl*), which is also called the formative (*muṣawwira*) faculty and "is a faculty which works to preserve the forms existing internally (*al-ṣūra mawjūda fi-l bāṭin*) [i.e., mental forms]."[682] Unlike Avicenna who thought of the common sense and imagination as two distinct faculties, for Ṣadrā, following his gradualist approach, they can be two extremes of the same faculty, in terms of more or less. In other words, in perceiving sensory things, since common sense just works to receive images as long as the external objects exist, without being able to preserve them, imagination in a more intensified way can store and preserve them in itself, even though the external objects are absent.[683]

If the imaginative faculty is an immaterial faculty due to the immateriality of imaginative forms (which Ṣadrā also tries to show in different ways, especially in his floating animal thought experiment), then there shouldn't be any physical organ in the brain to work as a substratum for imaginative forms, as there was for Avicenna. This is a point which he mentions explicitly as one of the main principles of his philosophy, namely, that

> "imaginative faculty is a substance not subsisting in any physical substratum and physical organ, and not existing in any of the directions of this natural world. It is separate from this world, located in an intermediary substantial world between the immaterial intellectual world and the world of material nature. We have uniquely demonstrated it with firm proofs and decisive demonstrations repeatedly."[684]

Therefore, like universal intellectual forms which have no substrate in the brain and come from active intellect as the giver of the forms, the imaginative forms

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[679] *Avicenna, Dāneshnāme-ye ʿAlāʾī*, 215.
[680] *Mullā Ṣadrā, Asfār, volume 8*, 205
[681] See: *Mullā Ṣadrā, Asfār, volume 8*, 205-11; *Avicenna, al-Nafs*, 215-17
[682] *Mullā Ṣadrā, Asfār, volume 8*, 211
[683] *Mullā Ṣadrā, Asfār, volume 8*, 211-14
[684] *Mullā Ṣadrā, Asfār, volume 9*, 191

also come from an immaterial source. The external sensible forms, as we have mentioned earlier, just work to prepare the soul to receive the proper image corresponding to them, either on the level of the imagination or on that of the intellect, from the ideal world of images or the universal world of conceptions. It is over time that the soul, after many perceptions and the acquisition of the higher existential levels in its substantial movement, can become more immaterial with the habit of connecting (*malaka 'ittiṣāliyya*) to the hidden worlds. He says in this regard,

> "therefore, retention (*ḥifẓ*) and remembrance (*dhikr*) are not physical, but rather exist in the soul, and once the soul acquires the habit of retrieving the lost forms, then all those forms get repeated to the soul, and it gets more disposed to receiving them, and the soul acquires a disposition (*istiʿdād*) making possible for it to retrieve those forms from immaterial sources whenever it wants. This is why the case for remembrance and imaginative forms is the same as for intelligibles."[685]

The third animal internal sense that Ṣadrā talks about is called *compositive imagination* (*mutakhayyila*) as far as it exists in animals and is under the control of estimative power. In humans it can be called the cogitative power (*mufakkira*) as far as it is under the control of the intellect, and functions "to arrange or to dispose thought and its premises."[686] Its main function is composing or decomposing images to form fictional images or fictional estimated intentions, or to dispose and arrange thought.

After that, we have the estimation (*wahm*). Unlike Avicenna, for whom estimative intentions (*maʿānī*) were a new cognitive contents always related to a particular sensory image, for Ṣadrā, they are related to intellect. He says in this regard,

> "know that according to us, even though estimation is different from the other faculties that we have mentioned, it is not essentially different from the intellect. Instead, it is an intelligible form in relation to a particular form, attached to it and managing it. Then the rational power (*al-quwwa al-ʿaqlīya*) attached to imagination is estimation, as its perceptions are universal intentions related to imaginative particular forms. And estimation essentially is not different from intellect."[687]

He summarises in this form that,

> "generally, once any universal intelligible is found in particular forms, either it exists in the mind in the sense that it abstracts from them intentions like causality, priority and posteriority, and other relations like fatherhood, sonhood and so on, or [it exists in the mind] in the sense that those intentions exist in particular forms, like [having] black [colour], or [this or that particular] smell and taste. Therefore, the first kind of perception is either performed by pure intellect (*bi-l-ʿaql al-ṣirf*), provided that its perception is not associated with its [particular] concomitants, or it is performed by estimation, provided that its perception is associated with particular person or persons (*ashkhāṣ*). The latter perception [is associated with] sensory or imaginative [forms, like the hostility of this or that wolf], but [perceiving] the hostility [per se], for instance, belongs to the first category."[688]

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[685] *Mullā Ṣadrā, Asfār, volume 8*, 229
[686] *Mullā Ṣadrā, Asfār, Volume 8*, 214
[687] *Mullā Ṣadrā, Asfār, volume 8*, 215-17
[688] *Mullā Ṣadrā, Asfār, volume 8*, 218

In other words, whereas perceiving causality as a universal rational principle is performed by the intellect and is specific to humans, perceiving a man with a stick as the *cause* of pain after one time of being beaten can be perceived in specific and particular terms, and thus something available to non-human animals as well. The latter perception is the estimative perception of causality in a particular way.

And finally as the last internal sensation, we have *memory* or the faculty of remembrance (*ḥāfiẓa*) which works as a storehouse for estimative intentions just like the retentive or formative faculty which works as a storehouse for preserving the sensory images in the common sense.[689] However, unlike Avicenna who thought of remembrance and memory as material faculties inhering in the brain as its substratum, for Ṣadrā, following from the immateriality of perception per se as well as from his idea that estimative intentions belong to the domain of intellect, there should not be any physical organ for it as a substratum. Rather, it is the soul itself which is the main source of them, as he says,

> "therefore, retention and remembrance are not physical, but rather exist in the soul, [...] and the soul acquires a disposition (*hayʾa*) that enables it to retrieve those forms from immaterial sources, whenever it wants. This is why the case for remembrance and imaginative forms is the same as for intelligibles."[690]

Now, the proper question is that if estimative power, for Ṣadrā, belongs to the intellect, and other animals than humans have the capacity, does it mean that Ṣadrā attributes rationality to other species of animals? First of all, I need to say that following the Ṣadrian gradualist approach, all animals are not the same in their existence and their capabilities, as "some animals just have external sensations and others are without imagination and estimation, some also without the retentive power."[691]

Then we need to know that the whole existence with all the species there are, exists in a hierarchical way as a matter of intensification. In fact, for Ṣadrā, following Suhrawardi and the Neo-Platonic tradition, all the species have a lord of species or talisman among intellectual forms. He says:

> "Even though the supreme one (*al-ʾawwal taʿālā*) is the absolute emanator and generous [in giving] the truth to all things [liable to] receiving the gift of existence, there should be necessarily for all species a proper medium (*wāsiṭa*) of abstract forms and intellectual substances, and they are angels, called by early thinkers as the lords of species (*ʾarbāb al-ʾanwāʿ*), by Platonic thinkers as Platonic forms and divine forms, because they are God's comprehensive knowledge by means of which external things overflow (*yaṣdiru*) [from God]. There is no doubt that the most competent and qualified one to make human souls complete is the holy father and their intellectual form, which is called by the religious law as Gabriel and the holy spirit (*rūḥ al-quds*), and by Persians as the giver of the soul (*ravān bakhsh*)."[692]

In other passages, he calls the lord of the human species the active intellect, the phoenix (*ʿanqāʾ*) or the efficient origin (*al-mabdaʾ al-fāʿil*).[693] In fact, all the

[689] *Mullā Ṣadrā, Asfār, volume 8*, 218
[690] *Mullā Ṣadrā, Asfār, volume 8*, 229
[691] *Mullā Ṣadrā, Asfār, volume 8*, 219
[692] *Mullā Ṣadrā,Asfār, volume 9*, 142-3
[693] *Mullā Ṣadrā, Asfār, volume 9*, 144

intelligibles acquired by humans are emanations from the active intellect as their lord of species. The other species of animals, plants and even inanimate matters have their own intellectual forms in the realm of divinity, accountable for the emanation of varieties of instinctual estimated perceptions for animals, vital activities for plants, and natural inclinations in inanimate matters and elements. He says in this regard,

> "any species of animals and even plants have an angel directing (*hādiyan*) them in their activities and perfections and they are connected to them, and this is the thing Persians call *the lord of talisman* (*rabb al-ṣanam*). [...] And for any species of natural bodies, there is a substance that constitutes (*muqawwim*) its species, works as a principle for its members, and manages them. The difference between the species regarding superiority and inferiority is about the difference between their separate luminous origins (*mabādi'uh al-mufārīqa al-nūrīya*), depending on closeness to or remoteness from the Light of lights (*nūr al-anwār*)."[694]

It should be noted that the more complex the creature is, the more perfect intellectual form or lord of species it will have. After the humans' lords of species, animal intellectual forms occupy the next place in the scale, and different species of animals have different places there. Then there are the vegetative intellectual forms, with different kinds of plants having different kinds of lords of species in the intellectual sphere. In his doctrine of resurrection of vegetative souls, as we will discuss in more detail shortly, he mentions that plants will have another kind of resurrection: "after the corruption (*fasād*) of their bodies to a lower level, they will be resurrected into an intellectual ruler (*mudabbir ʿaqlī*) which is lower in terms of intellectual nobility and perfection than the other intellectual rulers specific to other species of animals."[695]

Now we should return to the question that we posited earlier about whether in terms of the Ṣadrian metaphysical scheme, non-human animals can share with us in having intellect, given that the animal estimative power is a conditioned intellect and related to intellection. I think we can respond to this question both positively and negatively. Positively, because all the species, whether animals, plants or inanimate ones have an intellectual form or lord of species in the intellectual domain. This means that an animal perceives estimative intentions, "like when a horse sees a lion, even for the first time, and without being harmed by them earlier, the horse will escape. The same holds for the sheep in her seeing wolves for the first time, whereas she doesn't escape camels and cows, even though they are bigger and look more frightening."[696] In fact, in perceiving these kinds of perceptions, animals are emanated with their intellectual forms, just like the human soul which receives universal intellectual conceptions emanated from the active intellect. By contrast, our answer will be negative, if by having an intellect, we mean something like having universal conceptions and receiving emanation from the active intellect as the reservoir for intelligibles. In fact, Ṣadrā expresses his doubt about ascribing universal conceptions to non-human animals. For instance, when he argues that in humans the percipient of

[694] *Mullā Ṣadrā, Asfār, volume 9*, 24
[695] *Mullā Ṣadrā, Asfār, volume 9*, 255
[696] *Mullā Ṣadrā, Asfār, volume 8*, 158

particulars is the same as the percipient of universals, he says that "since it is demonstrated that the percipient of universals is immaterial, it is stated that it is a single immaterial faculty in us that perceives universals and particulars. However, with regard to other species of animals, we haven't found this reason. Therefore, it [i.e., the perception of universals] remains doubtful in their case."[697]

However, following the doctrines of substantial movement and gradual transformation of essences, can we not think of the possibility that some species of animals are transformed into human species and thus acquire intellectual power involving universal conceptions, especially with regard to those species more close to human species, like the monkey, or even the parrot? As we will see later in Ṣadrā's eschatology, the whole existence, and all sorts of species strive to become god-like and immaterial. However, due to their limitations, this goal is only reachable for human species, as the most superior. He says in this case,

> "all worldly creatures look forward to God, but because of the thickness of the veils and the condensity of ignorance and darkness with them, they are not aware of this. However, this essential movement (*ḥaraka dhātīya*) and the journey towards God is more obvious in human, especially in the perfect man (*al-insān al-kāmil*) who goes up this ascending arc (*al-qaws al-ṣuʿūdīya*) entirely."[698]

But who is the perfect man? Following Ibn 'Arabi and Suhrawardī, Ṣadrā thinks of the perfect human as the actual manifestation of all God's names who has reached the level of unity with God and has become fully intellectual, living in the highest existential level.[699] For Ṣadrā, this status is reserved for human species exclusively, because of the specific existential quality of human being. As he says in this regard,

> "the human soul in its identity and existence doesn't have a specific status and level, unlike other natural, mental (*nafsīya*) and intellectual existents, all of which have a specific status. Instead, the human soul has different status and levels, having prior and posterior modes (*nashʾāt*) in such a way that in any level of existence (*maqām*) it might have different forms."[700]

Nevertheless, only a minority of humans can reach this level, while the majority go for their worldly estimative pleasures rather than intellectual ones. For instance, he mentions that,

> "there are many people who don't have an intellectual level in their afterlife (*al-nashʾa al-ākhira*). Instead, they have imaginative and animal pleasures (*al-ʾibtihājāt al-ḥayawānīya*) and presumptive [i.e., estimative] happiness (*saʿādā ẓannīya*) which is their final goal and perfection, because they don't long for intelligibles and have no share in the higher divine realms (*al-malakūt al-ʾaʿlā*)."[701]

This could mean that the existential status of the majority of humans, compared to non-human animals, doesn't seem to be that different, since they are all looking for worldly estimative pleasures, though in different grades. Having the capacity of rationality is not a sufficient reason for the human species to reach the higher

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[697] *Mullā Ṣadrā, Asfār, volume 8*, 232
[698] *Mullā Ṣadrā, Asfār, volume 9*, 53
[699] See: *Mullā Ṣadrā, Asfār, volume 8*, 140-43
[700] *Mullā Ṣadrā, Asfār, volume 8*, 343
[701] *Mullā Ṣadrā, Asfār, volume 9*, 25

grades of intelligence, which would provide them with intellectual immateriality in their afterlife. In fact, most people take advantage of the rational power to fulfil their estimative and imaginative goals, and the power of reason for them works as an instrument in the service of their estimation. From this aspect, most humans and other species of animals belong to the same category of having imaginal (*khayāllī*) or ideal (*mithālī*) immateriality afterlife. Ṣadrā states:

> "for souls, after this natural mode of existence, there will be two other [existential] modes: one is the [imaginal] mode of animality, intermediary between intellectual and natural modes of existence, and the other is the intellectual mode; the former belongs to average and imperfect people, and the latter belongs to the perfect and those having intimacy with God (*muqarribīn*)."[702]

However, within this framework, the human species still occupies a higher existential status than other species of animals, due to its having the capacity of transcending to higher levels of intelligence, despite the fact that only a few can realize it.

But what about the species with the highest level of animality, i.e., the species more similar to humans, like monkeys? Can they not reach at least some degree of rationality and transform into human species? In fact, Ṣadrā doesn't completely refute this possibility, as the lines between the species are blurry, unlike the decisive distinctions between species in Avicennian metaphysics, and substantial movement can support it. However, non-human species, as long as they belong to the species other than humans, cannot go too far to reach the ultimate levels of humankind in having intellection and intellectual immateriality which is reserved for the human species. It seems that they can only get close to the earliest cognitive levels of human species in having rationality, rather than the more developed higher levels of intelligence. On this point, he mentions that even though we may admit that animals can acquire rationality, it doesn't mean that they can reach the higher levels of intelligence and perfection which is specific to humans alone, due to the existential limitations of non-human animals. He says in this regard,

> "even though we grant that they [i.e., animals] are predisposed to a kind of intellectual perfection, we do not admit that this requires the permission to enter to the human level and to pass through it [in terms of being as a non-human species], because the paths towards God and His divine realm are not exclusive to one single gate, [...] as His words indicate: *there are no moving creatures (dābba) except that they are taken by their forelocks, as my Lord is on the straight path* (*Quran, sūra al-hūd, verse 56*). [The straight path] is the path of human being leading to the Lord of Muhammad and all prophets and his family, and it is the name of Allah, comprehensive for all Divine names and their manifestations (*maẓāhir*). It is different from the other paths, which lead to the lords of species and their names, like Avenger (*muntaqim*), Humiliator (*mudhill*), Mighty (*jabbār*) and Dishonorer (*muḍill*) and the like, as the people of truth who know the knowledge of names (*'ilm -al-asmā'*) are aware."[703]

To reach the higher levels of rationality, it seems that the species close to humankind, they first need to transform into human species, as the gateway to

[702] *Mullā Ṣadrā, Asfār, volume 8*, 376
[703] *Mullā Ṣadrā, Asfār, Volume 9*, 25-6

the Holy, thanks to which they might be able to realize it. Ṣadrā mentions this point when he says,

> "unless other species of animals reach the boundaries of humankind and enter its gateway, otherwise they would not be able to enter the divine realms and ascent to the level of the Holy (*bāb al-quds*), as the species of plants would not be able to enter the levels of humankind unless they first enter the levels of animality."[704]

3.3.5 Intellection

Like Avicenna, Ṣadrā holds that the intellect is a faculty, which is responsible for the perception of universal, simple and immaterial conceptions. And because of the immateriality of its perceptual objects, it cannot have any physical organ on which to inhere, for all matter is divisible, whereas immaterial things are simple and indivisible.[705] However, it should be noted again that unlike Avicenna, who thought of the human soul to be an immaterial intellect by its very nature and from the beginning of its creation, Ṣadrā holds that it is a characteristic that only a minority of humans can attain in the developing process of their substantial movement. To explain the difference between imagination, estimation and intellection, he says that,

> "it is the pure intellect (*al-ʿaql al-khāliṣ*) that perceives hostility by itself; it is an intellect pertaining to imagination (*mutaʿalliq bi-l-khayāl*) that perceives the hostility attributed to a particular form, [or] it is the intellect impured (*mushawwiba*) by imagination which perceives the hostility attached to (*munḍimma*) a particular form. The pure intellect is immaterial (*mujarrad*) by its nature and its actions from both worlds [i.e., the material and imaginal worlds]; and the estimation which is immaterial by its nature (*dhātan*) and in terms of dependency (*taʿalluqan*) of this world and it is immaterial of the imaginative form by its nature [since it is a rational conception associated with a particular form], though not in terms of dependency [i.e., always associated with an imaginative form], and the imagination which is immaterial of this world in its nature, though not in its dependency."[706]

In another passage, when he enumerates the varieties of human characteristics, he mentions that,

> "perceiving universal meanings or conceptions is the most specific of the human characteristics, and it is immaterial in all aspects, [...] as well as attaining knowledge of the unknown conceptions and assents by means of what is known. And more specific than all the latter would be the ability of some souls in connecting to the divinity, in such a way that getting annihilated (*yafnā'*) of its nature and finding [eternal] life in [unification with] him."[707]

In fact, as we mentioned earlier, for Ṣadrā, having purely universal intellectual conceptions is attainable by only a minority of people, like prophets, mystics and sages, whereas the majority just have some vague common images indicating the identity and similarity between different forms of the same substance. In other words, while a minority can attain the universal intellectual conception of water, devoid of any particular aspect, the majority can only have a vague common

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[704] *Mullā Ṣadrā, Asfār, volume 9*, 160
[705] See: *Mullā Ṣadrā, Asfār, volume 8*, 260; *Avicenna, Dāneshnāme-yeʿAlāʾī*, 111-18,152-56, 204-5
[706] *Mullā Ṣadrā, Asfār, volume 8*, 240
[707] *Mullā Ṣadrā, Asfār, volume 9*, 81-2

image of water, "[i.e.,] they can apprehend the aspect of identity between [different] waters, say, in terms of sensation and knowing that all [different] waters are water, [...] despite differences in measure and location (*jiha*) between the [particular] individual imaginative forms of water."[708] This means that the majority of humans have only limited access to rationality which can vary from estimative perceptions as descended rationality to more abstract kinds, and is thus a matter of degree. Hence, the majority cannot achieve the highest levels of intelligence. And as we already tried to show, there should not be such a great difference between the goals of most humans and non-human animals, as they are all pursuing their worldly imaginative and estimative pleasures.

3.4 Ṣadrā on animal capabilities and in-capabilities

When it comes to the topic of Ṣadrā on animals' capabilities and in-capabilities, the first impression of seeing passages that Ṣadrā talks about them is that he just repeats what Avicenna said in this case, with no innovation. However, what I would like to do in this section is assessing those claims in a broader perspective of his metaphysical approach.

Indeed, I will mention that repeating Avicenna's ideas on animals' capabilities doesn't seem to be compatible with Ṣadrā's metaphysical approach, because Avicenna's views were presented in the context of the doctrine of fixed species, which is more compatible with essentialism. However, if we are to look at them from the lens of Ṣadrā's existentialism and the doctrines of the gradation of existence and substantial movement, the possibilities that his philosophy provides will look quite different.

In other words, I am going to show how the implications of the seemingly derivative passages in which Ṣadrā discusses animal capacities should be taken in a limited sense, as referring to specific kinds of animals, and not to the animal kingdom in its entirety. I think that this point is in line with the major doctrines of Ṣadrian philosophy. Unlike Avicenna who refused to ascribe a variety of capabilities to other species of animals, because he tied them up with rationality, which he saw reserved for humans and which allowed no gradation, and thought of imagination and estimation as material faculties, Ṣadrā's doctrines of the gradation of existence, along with substantial movement and the immateriality of imagination and estimation as sub-rational faculty, make it possible for him to see animals as having a variety of capabilities.

3.4.1 Social life, crafts and speech

According to Ṣadrā, human speech is an instrument to realise cooperation between human beings to help each other. In fact, humans cannot live alone. Since they cannot use natural things as they are, they need to process them to

[708] *Mullā Ṣadrā, Asfār, volume 8,* 284

make them usable for their needs, to eat them, to wear them, etc. This results in a specialisation of tasks among them, and in different kinds of crafts. However, with regard to animals,

> "because their foods are natural or close to [natural], and they are created with clothes [naturally], like skin, hairs, nest or cave, they do not need speech (*kalām*), although they do produce some voices (*aṣwāt*) in accordance with what exists in some of them, of a mixture of deliberation (*rawīya*) and communication (*iʿlām*), such that others can become aware of what is in their souls and minds (*ḍamāʾīr*). However, they are limited in their significations (*dalāla ʾijmālīya*) but sufficient for their goals like attaining the pleasant and escaping the unpleasant. However, human voices have detailed significations (*dalāla tafṣīlīya*), [...] and probably endless in their meanings."[709]

On the other hand, whereas different kinds of crafts in humans might come from their deliberations and the functions of their individual rational power, in other species of animals, they do not arise from their individual contemplations, otherwise they would not be always the same and take place in a similar way. In fact, they arise from compulsive instinctual inspirations (*ʾilhām wa-taskhīr*) from their lords of species. At the same time, while humans thrive for their own persons, that is, their personal goals, other animals more thrive for the survival of their species or the survival of humans especially, in the sense that they are created to fulfil the needs of humans. In other words, non-human animals are in the service of the goals for the survival of their species or the species of humans, rather than following their own personal goals. This is especially true with regard to the perfect human, in the highest level of agency, while the majority of humans tend to be more in the hands of their natural instincts.[710] Needless to say, the echoes of Avicenna's words are obvious here.[711]

I think the main question here is about the implications of Ṣadrā's words. In other words, does he talk here about the animal kingdom in its entirety, or might he have meant some specific species of animals? As I already mentioned, I think he's talking here about the species in the lower existential modes, i.e., animals in the physical level, or those without imagination. In fact, the status of animals in these levels is like the status of five sense perceptions in relation to common sense. In other words, the relation between animals with no active imagination and their lords of species is like the relation between the five senses and the common sense, purely relational. This means that just like sense perceptions without common sense would be some scattered data with no unified identity and then no perceptions, animals in this level also would not have any identity, regardless of their lords of species.[712] However, regardless of their intellectual lord of species, humans have their own individual identities. This would have its own implications for Ṣadrian eschatology, as will become clear shortly. He mentions that "the state of his own individual identity [i.e., of the perfect human] is like the status of [the lords of] species in other [species], i.e., it will have an immortality (*daymūma*) and afterlife individually and intellectual survival by

[709] *Mullā Ṣadrā, Asfār, volume 9*, p, 79
[710] *Mullā Ṣadrā, Asfār, volume 9*, 80
[711] See: *Avicenna, Al-Ḥayawān*, 5; *Avicenna, al-Nafs*, 263; *Avicenna, Dāneshnāme-yeʿAlāʾī*, 200
[712] *Mullā Ṣadrā, Asfār, volume 9*, 250

itself, whereas other animals will not survive except as species, not as individuals."[713] In other words, the more perfect an entity becomes, the more individuation and agency it would acquire, since following existentialism, it is existence that brings about individuation and specification. The perfect human who obtained the highest grades of existence, should have the highest level of individuation.

But what about animals endowed with imagination, and *a fortiori*, with estimative power? Does it mean that they lack individuation as well, with no room for individual afterlife? In fact, for Ṣadrā, animals with active imagination can enjoy an afterlife in the level of individuals, not just in terms of their lords of species. This means that if animals with imagination can enjoy having individual identity, those with estimation, *a fortiori*, can enjoy it as well, in a higher degree, because if "the percipient of particular imaginative forms is different from the bodily faculties and is immaterial, estimation is even more entitled to be [called] immaterial."[714] I need to mention this in more detail when I discuss Ṣadrian eschatology.

In fact, Ṣadrā mentions the ability of deliberation for some species of animals, when he says that "they produce some voices in accordance with what exists in some of them, of a mixture of deliberation and communication such that others can become aware of what is in their souls and minds."[715] In attributing some levels of deliberation to other species of animals, this could mean that the lines between different kinds of species is blurry for him. In fact, unlike Avicenna for whom deliberation as an upshot of having rationality is just reserved for human species, but for Ṣadrā, following his gradualist approach and seeing the estimation as a sub-rational faculty, other species might partake in it, some more and some less.

Therefore, I think in rejecting capabilities for animals like contemplations, social life, speech, crafts, specialisation of tasks, and the lack of individuation, Ṣadrā has in mind those species of animals in the lower existential levels, with no active imagination. However, the case of those with higher existential levels, like animals with imagination and especially estimative power, should be different, in the sense that they share with us some levels of these capabilities, even though in lower forms. I believe this conclusion stems from examining his claims in the broader perspective of assessing them in relation to other elemental components of his metaphysical approach. This is in contrast to assessing them in isolation, which is crucial for understanding them consistently.

3.4.2 Intellect-related affections and emotions

By repeating Avicenna's ideas,[716] Ṣadrā refers to some emotions as characteristic of the human species. He says in this regard:

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[713] *Mullā Ṣadrā, Asfār, volume 9*, 80
[714] *Mullā Ṣadrā, Asfār, volume 8*, 239
[715] *Mullā Ṣadrā, Asfār, volume 9*, 79
[716] See: *Avicenna, al-Nafs*, 263-4

> "One of the characteristics of humans is that following the perception of odd and rare things, there will be affections (*ḥāla ʾinfiʿālīya*) in them, which are called wonder (*taʿajjub*), and following that, there will be laughter (*ḍaḥka*) in them. [Likewise], following the perception of harmful things, there will be affections in them, which are called annoyance (*ḍajra*), and which may be followed by weeping (*bakāʾ*)."[717]

For a philosopher like Avicenna, who thinks in the context of the fixity of species, the absurdity of substantial movement, and who thinks of the estimative power as material and related to imagination, considering wonder, laughter, annoyance and weeping as characteristic to humankind might not be surprising, but rather compatible with the core ideas of his metaphysical scheme. However, for a philosopher like Ṣadrā, who thinks in a different metaphysical scheme and posits the main doctrines of his philosophy in a critical relation to Avicennian metaphysics, these should mean differently regarding different kinds of animals. I've already mentioned how for a philosopher like Ṣadrā, tying such capabilities and particularly emotions to rationality might not be a big challenge for ascribing them to other species of animals. After all, he attributes some levels of deliberation, and also rationality, albeit in a limited sense of the word, to species other than humans. Again here, I think the implications of Ṣadrā's claims should refer to the animals not endowed with active imagination and some levels of estimation, and not to species endowed with these faculties, for they might share with us some degrees of these kinds of emotions.

3.4.3 Morality

Following Avicenna, Ṣadrā thinks of morality as another human characteristic, coming out of belief in the common good. However, with regard to other species of animals, what we might describe as *prima facie* moral acts in them, are revealed after proper scrutiny to not be moral in the real sense, because they do not arise from deliberative beliefs, but rather from other mental dispositions, which are not related to having a moral belief. Like Avicenna, he mentions that, of the characteristics of humans is that,

> "the common good (*al-mushārika al-maṣlaḥīya*) entails refraining of some actions and urging to some others, so that from their childhood, humans [start to] believe (*yaʿtaqid*) in them and grow up with them, and they are convinced to believe in the necessity of refraining (*wujūb al-ʾimtināʿ*) of the former and doing the latter, and it is settled down (*rakaza*) in their souls, which is a divine mercy (*ʿināya*) for the sake of orderliness (*niẓām*), that the former is called ugly (*qabīḥan*) and the latter good (*ḥasanan*) and beautiful (*jamīlan*). By contrast, even if other animals abandon some acts, like a trained lion who doesn't eat his owner, or like a gentle horse who doesn't mate with his mother, none of these arise from beliefs in their souls, but rather from other mental dispositions (*hayʾa nafsānīya*), which is in all animals, like whatever gives them pleasure by their nature. Hence, they will like the person who provides them with food, and this will refrain them from eating the person. Similarly, [the horse's] growing up with his mother from his childhood will result in a different kind of affinity (*ulfa*) with his mother in such a way that prevents him of having a desire to mate with her. Probably these kinds of properties come from divine inspirations (*ʾilhām ʾilāhi*), like every animal's love of their parents."[718]

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[717] *Mullā Ṣadrā, Asfār, volume 9*, 80
[718] *Mullā Ṣadrā, Asfār, volume 9*, 80

According to the passage, human acts deserve to be called moral, since they arise from a deliberative belief in the common good, but when it comes to other species, such beliefs cannot be found due to the lack of a rational soul.

First of all, Ṣadrā's ascription of moral beliefs to humans from their childhood doesn't seem to be compatible with his other claims in this case, because having beliefs should be related to the higher levels of knowledge specific to intellectual people. However, according to him, the existential level of human souls in childhood is described as an animal soul in its lower levels. As he says,

> "the first thing that emerges in the human soul is animality (*bahimiya*), and then appetition (*shahwa*) and greed (*sharah*) are predominant in kids. Then there will be bruteness (*sabʿiya*) as hostility and dispute become predominant in them, and then they will be characterised by demonic properties (*al-shayṭāniya*), predominantly deception *(al-makr)* and fraud, to take advantage of their agility (*kayāsa*) to realise their appetitive and hostile desires to obtain worldly things. Then properties like arrogance (*al-kibr*) and dominance (*al-ʿujb*) will emerge in them. After all these, there might be in them an intellect through which the light of belief (*nūr al-'imān*) can emerge. [...] And the army of intellect will become mature in the age of forty, although it started growing up with the age of maturity."[719]

In fact, for a philosopher like Ṣadrā, the majority of humans as people of this world, look for worldly pleasures as their objectives. The people for whom, due to their intellectual weakness, the best way of explaining the other modes of existence is by means of analogy (*tamthil*), since they are caught in the lower existential and consequently epistemic levels,[720] acquiring belief in general, and moral beliefs in particular, from childhood doesn't seem to be the case. Therefore, if we should think of humans as endowed with the ability of having beliefs already in their childhood, when animality is predominant as their existential mode and when they are still devoid of rationality, it is not clear why other species of animals, at least those with higher capabilities and close to human species, cannot share with us in having moral beliefs.

3.4.4 Perceiving movement and time

For Ṣadrā, movement is not something that we can perceive directly from outside by our sense perceptions. In fact, movement is perceived in us as a result of the co-operation between senses and intellect. In other words,

> "intellect through the assistance of senses perceives movement and rest (*sukūn*), because senses perceive sometimes a thing close to and sometimes far from other things, and gradually as well, then it will be intellect that judges that the thing is moving and going from potentiality into actuality. The latter is not perceived by senses, because it is a relative and relational [concept] (*'amr nisbī iḍāfī*), [...] and no relational or non-existential thing is perceived by senses. This is why the passengers in a ship will not have any perception of movement, as far as their senses do not perceive the changes in terms of closeness and farness in relation to other things

[719] *Mullā Ṣadrā, Asfār, volume 9*, 93
[720] *Mullā Ṣadrā, Asfār, volume 9*, 214

> located outside. It's like saying that perceiving movement and rest are mental (*dhihniyan*), but with the assistance of a sense like vision."[721]

Following movement, as the result of co-operation between the senses and the rational power, there will be the perception of time, which is the measure of movement in substance. In fact, time is also a relational perception for Ṣadrā, and it emerges from perceiving the relation between the prior and the posterior points in a movement, and is thus connected to rationality. However, we should not forget that unlike Avicenna for whom movement and time happen in terms of accidents, Ṣadrā thinks that they happen in the category of substance.

Consequently, like Avicenna, Ṣadrā thinks of other species of animals as bound to the present moment, and as not endowed with time-related affections, like hope (*rajāʾ*) and angst (*khawf*), that are related to having perceptions of the future, or even the past. In fact, the kinds of acts in animals that might *prima facie* be taken as prudential, like the storing of provisions by ants, are not due to farsightedness, but rather to inspirations from their lords of species. This is different from humans, in whom they are, "due to their individual [choices in relation to the future]."[722] The consequences of such farsightedness in humans is that,

> "they are not limited to be cautious and demanding urgent and immediate things, but rather are cautious of evils in the future and strive after goods in the afterlife. Therefore, God has distinguished humans from other animals through their having another faculty which is nobler and better than others, and by means of which they perceive benefits (*manāfiʿ*) and harms (*maḍārr*) and goods and evils of the afterlife."[723]

However, regarding the perception of movement, Ṣadrā has already confirmed a level of perceiving it for animals endowed with common sense. The perception of a raindrop as a moving straight line, or the perception of fire in the form of a moving circle when someone is revolving the fire rapidly, should both occur in a faculty other than the external senses, because vision can only perceive the raindrops in one specific position, "whereas a point is neither a line nor a circle."[724] Hence, perceiving them as a straight or a circular line should occur in another, internal faculty, i.e., the common sense. Therefore, "it is not the eyes that can perceive the parts of movement all at once. And if they are going to be perceived at once, like the raindrops or the revolving fire, this should be perceived in the common sense, not the external senses."[725] This is Avicenna's argument for the existence of common sense that we already mentioned in the chapter on Avicenna,[726] and Ṣadrā mentions it as well. It seems animals endowed with common sense should have a kind of movement perception, and it can be stronger in animals with higher epistemic faculties, like imagination and estimation. In other words, the more complicated an animal is, the stronger its perception of movement and time, and consequently, the grasp of things in the

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[721] *Mullā Ṣadrā, Asfār, volume 8*, 203
[722] *Mullā Ṣadrā, Asfār, volume 9*, 81
[723] *Mullā Ṣadrā, Asfār, volume 8*, 158
[724] *Mullā Ṣadrā, Asfār, volume 8*, 208
[725] *Mullā Ṣadrā, Asfār, volume 8*, 209
[726] See: *Avicenna, al-Nafs*, 59

far future is a matter of degree. According to this picture, having perception of the farthest future, i.e., after death, is reserved for humans with the highest level of perception, or intellectual humans. This is something that the gradualist Ṣadrian metaphysics can provide a good basis for, even though he hasn't mentioned it, at least as far as other species of animals are in question.

3.4.5 The lack of recollection

Following the distinction that Avicenna makes between remembrance (*ḏikr*) and recollection (*taḏakkur*), ascribing the former to animals and the latter only to human species,[727] Ṣadrā also says that "[one of the human characteristics is] the recollection of those things which are not present for the mind anymore. Indeed, other species of animals are not able to perform it, i.e., retrieval (*'istirjā'*) and contemplation (*tadabbur*)."[728] I have tried to explain the difference between recollection and remembering earlier in the chapter on Avicenna. The lack of recollection should mean the lack of an active or conscious process of reminding oneself of something, whereas remembering is the passive process of something coming to mind. In other words, whereas humans can remind themselves of the image of the wolf without having an actual confrontation with one, a sheep cannot remind herself of a wolf without an actual confrontation, except in an unconscious way, like in dreaming, which comes out of the natural activity of the compositive imagination in jumping from one image to another.

Again here, I think that the implications of Ṣadrā's words should be taken as referring to animals with lower epistemic faculties, i.e., those not endowed with an active imagination. The reason behind this, I think, is related to how Ṣadrā saw animals as self-aware creatures differently from Avicenna, a topic that we will discuss in more detail shortly. In brief, for Ṣadrā, animals with imagination are self-aware constantly, because of the immateriality of imagination. This means that as immaterial souls, they are always present to themselves, as well as to other internal faculties, like formative imagination, compositive imagination and common sense, even though they do not have any objects of perception. However, for Avicenna, animals could have some kind of self-awareness as far as they perceive something, which he called a mixed-up self-awareness. This means that Avicennian animals not only are not present to themselves constantly, but rather they are not present to their other internal faculties as well. And being present to their other internal faculties can mean that they can employ them whenever they want, regardless of having perceptual objects, and retrieve their contents. I think this would give more agency to Ṣadrian animals who have direct access to their internal mental faculties. Like every other thing, having access to the content of the mind should be seen as a matter of degree, and something which the complexity of an animal may affect in different ways. Thus, animals with estimation as a sub-rational faculty should have the highest degree of that capability.

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[727] See: *Avicenna, Dāneshnāme-ye ʿAlā'ī*, 199-200; *Avicenna, Al-Ḥayawān*, 7, 107
[728] *Mullā Ṣadrā, Asfār, volume 9*, p, 81

I have tried to show how the implications of these texts from Ṣadrā need to be considered in a limited way, in accordance with his gradualist approach. In other words, the implications of the lack of the above-mentioned capabilities should refer to animals with lower cognitive capabilities, especially imagination. Otherwise, with regard to animals with higher sub-rational capabilities, like the estimative power, it seems that they should have some levels of them. This is a point mentioned by Tabataba'i, one of the most prominent commentators of Ṣadrian philosophy. He says in this regard, "the truth is that animals are not altogether excluded from sharing with humans in all of these properties, even though these properties are stronger and more obvious in human species. This can be proved by referring to the subtleties of recorded evidence of animal [behaviour] in zoological works."[729]

3.4.6 Ṣadrā on animal self-awareness

We have already found out that for Ṣadrā, all kinds of knowledge, , whether sensory, imaginative, estimative or intellectual, are immaterial in nature. Moreover, any kind of knowledge requires a recipient which first finds and perceives itself, or has some kind of self-awareness. We also found out that for him, imagination and estimation enjoy immateriality, albeit not intellectual but imaginal immateriality. When we put all these together in the case of animals endowed with the faculty of imagination, we can conclude that in Ṣadrian philosophy, these animals are self-aware percipients. To understand this better, we need to have a deeper look at his idea of animal self-awareness.

The first thing Ṣadrā tries to show is that the ground of animal identity is something other than their bodies. In other words, despite the body's being in a constant process of becoming, "the animals remain in their individuality in all [different conditions], and so we find that their identity (*huwiya*) is different from their sensible body."[730] At the same time, what convinces him of the fact that the identity behind the ever-changing body should be aware of itself is animal sentience and their capability of feeling pain and pleasure. He says,

> "[one of the reasons for the immateriality of the animal soul] is that they perceive their perceptive identities. How should this not be so, when they escape from the painful and seek the pleasant? However, the reason for why they do not escape from pain qua pain (*muṭlaq al-'alam*) is that firstly, as is well known, they do not perceive universals, for otherwise, it would entail that they were looking for what we are; and secondly, they do not escape from the pain of others, despite the fact that it is also pain. However, they escape from their own pain, which requires their knowledge of themselves and consequently their immateriality."[731]

In other words, the main reason that an animal X can identity pain x but not pain y as its own, escaping from the former but not the latter, is that it should find or perceive it related to its own self, which requires being aware of itself, because as Ṣadrā frequently mentions, "nothing can be present to what is not present for

[729] *Mullā Ṣadrā, Asfār, volume 9*, 81, footnotes
[730] *Mullā Ṣadrā, Asfār, volume 8*, 42
[731] *Mullā Ṣadrā, Asfār, volume 8*, 43

itself, which is why it is not possible to perceive other things without perceiving oneself, because what perceives other things [first needs to] perceive itself tacitly (*fī ḍimn*) while perceiving the others."[732]

Regarding the Ṣadrian doctrine of knowledge, I tried to show that he takes knowledge and perception as interchangeable with presence and existence. We found that due to their divisibility, material things cannot participate in having any kind of knowledge, because they are absent from themselves, having no share of presence. However, animals, are perceptive subjects, and to be perceptive, they need to have a tacit perception of themselves, which requires their immateriality. This means that as immaterial subjects, they should always be present for themselves, regardless of whether they are actually perceiving, a point that Ṣadrā tries to clarify by replacing the floating man with an *animal* in his version of the Avicennian thought experiment.

In our discussion of Avicennian animal self-awareness, we realised that Avicenna makes a distinction between human and animal self-awareness, taking the former as absolute, constant, essential and substantial self-awareness which is always actual for any human being, even if they are forgetful of this during sleep or intoxication. This is a characteristic which comes from humans' rational souls. In other words, the human rational soul, due to its immateriality and simplicity, always perceives itself. However, due to the lack of a rational soul, animals cannot enjoy such an awareness of themselves. In fact, if they can have any kind of self-awareness, it must be of an entirely different kind, i.e., one that is mixed, or of a material kind, always in relation to a perceptive object, and intermittent. This is a point that I tried to address thoroughly when we discussed it in the chapter on Avicenna.

However, Ṣadrā thinks differently. Whereas Avicenna, following the immateriality of rational soul, concludes a substantial kind of self-awareness for humans, Ṣadrā following his doctrine of the immateriality of imagination, concludes a substantial kind of self-awareness for animals and majority of humans. This means that to be aware of themselves, Ṣadrian animals do not need to have a perceptive object, by means of which they can have a self-perception as well, or an awareness of themselves obtained by their internal or external sensations, which is thus acquired intermittently. Instead, "the animals' knowledge of their identities is continuous and not acquired by sensation, while their knowledge of external and internal organs is not like that. Hence, their identity is different from their bodily organs."[733] In fact, he explicitly criticises Avicenna in various ways for his hesitation in admitting, for animals, an identity unmixed with body:

> "surprisingly, the truth was expressed by his [i.e., Avicenna's] tongue, in all of these possibilities and corrupt alternatives, and he couldn't prove what he was hesitant about, expressing his hesitation: *perhaps for the animal and the plant, there is a principle that is not mixed.* He couldn't find that this is the truth with no doubt and suspicion:

[732] Mullā Ṣadrā's philosophical works collection, 389, quoting from Ubūdiyyat, volume 2, 48

[733] *Mullā Ṣadrā, Asfār, volume 8*, 43

> regarding animals, it has become obvious with decisive proofs that they have souls that are not mixed with their bodies."[734]

This kind of self-awareness that Ṣadrā ascribes to animals is of a different kind compared to intellectual self-awareness, although like the latter, it is immaterial and continuous. His description of animal self-awareness as imaginal means that having this kind of self-awareness should be reserved for animals endowed with an actual imagination, as he writes,

> "some souls, to which it is correct [to ascribe] individuation (*al-infirād*) by their own essence, are souls with actual imaginative perception or a perception of themselves and their identities. Therefore, there is no doubt about their substantiality (*jawhariya*), like in the case of humans and of animals with perfect sensations of the internal perceptive faculties, like estimation, retention and imagination."[735]

In another passage, responding to Avicenna's hesitation regarding animal self-awareness, he writes that,

> "according to our way, the soul of those animals endowed with actual imagination is not material, and they perceive themselves in a particular way, because their essences are for themselves, not for others, and everything, whose existence is for itself rather than for another, perceives itself [...]. And this doesn't require them to be intellectual substances, because being immaterial is more general than being intellectual, and the general doesn't require the particular."[736]

In other words, as immaterial imaginal substances, animals with actual imagination subsist by themselves, with no need of any substratum in which they inhere, such as a physical organ. This is in stark contrast to Avicenna, for whom animal self-awareness was related to estimation, which is a material faculty and ceases to exist after the death of the body and the estimative organ in the brain. In another text, Ṣadrā mentions this immateriality with no need for bodily organs, as he writes:

> "the truth is that animal souls perceive themselves with their own essences (*bi-nafs dhawātihā*) with an imaginative perception, not by means of an instrument [organ] of imagination, but rather by their perceptive identities. And this requires their separation from their natural bodies, rather than imaginal forms, as we have repeatedly provided proofs for the immateriality of imaginative souls from this [material] world."[737]

We found earlier that for Ṣadrā, the epistemic status of animals, and particularly animals with higher capabilities, looks similar to that of the majority of humans, as they all pursue the fulfillment of their worldly estimative pleasures, despite the fact that humans may realize it by means of the rational power. Seeking intellectual pleasures is reserved for a minority of humans, like prophets, sages, mystics and those with refined souls. Consequently, for Ṣadrā, self-awareness follows the same formula. In fact, the majority of humans are just like animals, participating in having an imaginal kind of self-awareness. However, the intellectual kind of self-awareness is only for a special minority of humans, as he

[734] *Mullā Ṣadrā, Asfār, volume 9*, 115
[735] *Mullā Ṣadrā, Asfār, volume 8*, 48
[736] *Mullā Ṣadrā, Asfār, volume 9*, 111
[737] *Mullā Ṣadrā, Asfār, volume 8*, 278

says: "the difference between their souls [i.e., animal souls with imaginal self-awareness] and the souls of special [groups of] humans (*khawāṣṣ al-'insān*) is that these souls perceive their essences immaterially, abstract from all dimensions, forms, shapes and so on [i.e., they perceive their essences intellectually]."[738] Ṣadrā seems to consider the intellectual kind of self-awareness, i.e., perceiving the essence with no material properties as the same as the Avicennian first-order self-awareness, which comes from the nature of intellect as a differentia of human souls, with no need of any kind of perception, as he tries to explicate with the floating man thought experiment. Whereas for Avicenna, this kind of self-awareness is innate to all of us, from the early levels of the formation of the human soul, for Ṣadrā, it is a property which needs to be obtained through the process of substantial movement of the human soul to become intellectual in its higher existential levels, and it is reserved for a minority. However, animals and the majority of humans participate in having the imaginal kind of self-awareness, which although still immaterial, takes place in imaginal terms, just like the imaginal body with imaginal width, depth, height, colour, positions and so on.

What about other animals, endowed with lower mental capabilities, like imagination, or plants with higher capabilities that seem to have some kind of perception?

According to Ṣadrā, "when it comes to animals only endowed with tactile perception and what might be close to it, as well as all plants, their substantiality is related to the presence of these souls in the proximate matter (*al-mādda al-qariba*), [preserving] the specific mixture and disposition [of the matter]."[739] In other words, these kinds of souls only work to preserve the mixture of the body, and they need a substratum on which they inhere, despite the fact that he mentions that this kind of inherence doesn't make the inhering soul divisible due to the divisibility of matter. Indeed, as we mentioned earlier, Ṣadrā considers plant souls and the lower animals without imagination as non-extended material substances. Since these kinds of souls perform,

> "their activities by deploying other faculties, there will be necessarily intermediate instruments for those faculties, more inferior than those forms [or souls], and this makes them as if more elevated than [the divisibility of] matter. This kind of elevation (*'irtifā'*) from inferior prime matter is the status of the soul, because it participates in the divine realm (*al-malakūt*) and immateriality, even though in a lower degree."[740]

Does this mean that higher plants and lower animals with primitive perceptions, like touch, might have some kind of self-awareness, because they enjoy some level of immateriality?

To respond to this question, we need to remember what we said earlier about the relation between lower animals with regard to their lords of species which is an entire dependency. To explain this, Ṣadrā likened it to the relationship between common sense and five external senses. In fact, no external senses can have any perception independently, regardless of the common sense.

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[738] *Mullā Ṣadrā, Asfār, volume 8*, 278
[739] *Mullā Ṣadrā, Asfār, volume 8*, 48
[740] *Mullā Ṣadrā, Asfār, volume 8*, 16-17

Similarly, lower animals and higher plants as well, especially those with a higher existential level due to which they seem capable of some kind of touch perception, might not have any independent identity, regardless of their lords of species. So to speak, according to this account, when for instance, a lower animal in such state perceives something, say, feeling pain, the real perception belongs to the lord of species of that creature, not the creature itself, since there is no real independent identity and individuation for their so-called individuals. This is especially the case, when we recall that according to the doctrine of the unification between the soul and its faculties in Ṣadrian metaphysics, the faculties are the soul itself in a dissipated, scattered and weak way. By the same token, the particular animals or plants of this kind are nothing but their lords of species in a dissipated way. And when it seems that they perceive something, the real percipient is their lords of species. This lack of individuation and independent identity would make it hard to attribute self-awareness to them. It is the matter which plays the role as the cause of plurality in the form of particular individuals for each of these species. Otherwise, when the veil of matter is removed, all them will be unified with their lords of species, and any kind of superficial diversity and plurality will disappear as well. In other words, due to the lack of individual immateriality, it doesn't seem that animals in this level can have any self-awareness after death. This is something that will be clarified in the next section, when we discuss Ṣadrian eschatology and the status of different kinds of animals in it.

3.5 Animals Resurrection

For Ṣadrā, the science of eschatology is one of the best sciences. According to him, philosophers of the past, Avicenna among them, couldn't understand the importance of providing a proper explanation of the quality of the afterlife of different kinds of souls, including animal souls. Ṣadrā thinks that his metaphysics can provide a good basis for a comprehensive explanation of resurrection that is compatible with the relevant Quranic verses . The main issue in this regard, according to him, is that,

> "even though most philosophers have made remarkable efforts with regard to the origin (*mabdaʾ*), [...] they have failed to understand the levels of resurrection (*maʿād*) [...], because they didn't acquire the lights of wisdom from the lantern of the last messenger. [...] Their pioneer [i.e., Avicenna] confessed his inability to prove a rational argument for [bodily] resurrection [...] and was unable to prove the resurrection of average people (*al-nufūs al-mutawassiṭa*) in such a way that some of them admitted that [average people] are conjoined with celestial bodies in the afterlife, or were unable to prove a resurrection for material souls, such as Alexander of Aphrodisias who believed in their annihilation after death."[741]

According to Ṣadrā, the inability of the philosophers of the past in understanding the truth of resurrection results from the lack of the proper metaphysical

[741] *Mullā Ṣadrā,Asfār, volume 9*, 179-80

grounds, like the doctrine of substantial movement, existentialism and the immateriality of imagination. Similarly, their inability to admit the resurrection of animal souls results from the lack of foundations in their philosophical schemes, despite the fact that there are verses in the Quran indicating a resurrection for animal souls, like "as God the exalted has said on the resurrection [...] of animals, *and once the beasts are resurrected* (*Quran*, Sura al-takwīr, verse 5) [...],"[742] and "divine words and sayings, as well sacred scriptures revealed to his messengers are exalted above contradicting with the truth."[743]

On the basis of the main doctrines of his philosophical approach, Ṣadrā arrives at the necessity of resurrection for all existents, animals among them. On the other hand, according to his doctrine of the immateriality of imagination, he arrives at the resurrection of animal souls in particular, a move I need to explain in more detail.

According to Ṣadrian existentialism, what is primordial is existence, and for him, existence and goodness are equivalent, referring to the same reality. Accordingly, non-existence would be evil, and if there is not any afterlife for different kinds of existents, in the sense that they would perish away with the death of their bodies, this would indicate that the creation is in vain, with no final goal. However, for Ṣadrā, the substantial movement that encompasses the whole universe is a teleological process towards God as pure existence. In other words, the creation would be in vain, if there was no existence after the worldly material existence, which violates the principle of the possibility of the nobler (*al-'imkān al-'ashraf*), according to which for every lower level of existence, there should be higher existential levels. By incorporating the principle in his metaphysics, Ṣadrā follows the illuminationist tradition. Suhrawardī formulates the principle in this way, "of the illuminationists principles is that, once the baser (*'akhass*) contingent exists, it requires that the nobler contingent was already existing."[744]

For Ṣadrā, this progressive evolutionary movement towards God is the truth that the Quran acknowledges figuratively, when it says that,

> there is no moving creature (dābba), unless they are grabbed by the hairs of their foreheads by him, as my God is in the straight path. Therefore, every natural substance that exists in the world is a moving creature, as we have mentioned concerning their essential movements. Hence God has grabbed them from the forehead hairs of their souls and natures, and it is He that takes them towards Himself and attracted them accordingly."[745]

Then Ṣadrā adds that, "on the basis of there being nothing vain in nature (*lā muʿaṭṭal fī-l ṭabīʿa*) and no rest in creation (*lā sākin fī-l khalīqa*), we have proved that all creatures are going towards the desired goal (*al-ghāya al-maṭlūba*), provided that all resurrecting (*ḥashr*) in accordance to what is more compatible with them."[746]

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[742] *Mullā Ṣadrā, Asfār, volume 9*, 199
[743] *Mullā Ṣadrā, Asfār, volume 9*, 182
[744] Suhrawardī's Majmūʿa Muṣannifāt, volume 2, 71. For a detailed analysis of the principle, see: Suhrawardī's illuminationism, Jari Kaukua, 2022, 161-63, Brill publication.
[745] *Mullā Ṣadrā, Asfār, volume 9*, 198
[746] *Mullā Ṣadrā, Asfār, volume 9*, 198

On the other hand, the natural desire in all existents to love themselves and their various efforts to preserve themselves and escape from death and annihilation, "is a reason for having an everlasting afterlife immortally, because their survival in this natural mode is impossible."[747] Since this desire in them is natural and there is no vanity in nature, it should be realised in another existential mode.[748]

Even though there might be some barriers and obstacles, in the sense of forces (*qawāsir*), on the way towards perfection for the existents, "since they are against nature, they are not permanent (*dāʾimīyan*) but rather temporary (*munqaṭiʿ*), and they will be removed, even if this were after a long time. Therefore, all existents are going towards their main telos, and the telos of everything should be more superior than itself,"[749] whether substantially or existentially. In other words, the substantial movement is always towards the more perfection of existents, unless some external forces and powers interfere and interrupt this evolutionary movement in creatures, which is not permanent.

The other reason that provides Ṣadrā with the idea that animal souls are immaterial and have an afterlife, as we have already mentioned, is the immateriality of imagination and estimative power in animals. For Ṣadrā, some of the arguments that philosophers have provided for the immateriality of the intellectual power might indicate the immateriality of the imagination as well. Among them are the ability of the intellect to perceive infinite perceptions, whereas the material body, and consequently material faculties, cannot be a substratum for infinite perceptions due to their finiteness.[750] However, according to Ṣadrā, "even though the imaginative power is not intellectual, there is no limit for it in its perceptions, because it is assisted from the intellectual world."[751]

According to another argument, if the ability of some old people as well as others suffering from diseases who still have sharp minds in intellectual perception, regardless of the weakness of their bodies, can indicate the immateriality of intellect,[752] similarly, their sharp minds in imaginative and estimative perception can indicate the immateriality of imagination and estimation.[753]

Another argument that philosophers have used for the immateriality of intellection is that after a strong intellectual perception, the intellect can perceive better and more easily weaker perceptions, unlike material faculties, such as sight or hearing, the organs of which will be incapable of weak perceptions after a strong visual or audible perception.[754] This is also an argument that Ṣadrā takes to indicate the immateriality of imagination, "since it can perceive bigger things,

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[747] *Mullā Ṣadrā, Asfār, volume 9*, 241
[748] *Ibid*.
[749] *Mullā Ṣadrā, Asfār, volume 9*, 244
[750] See: *Avicenna, Dāneshnāme-yeʿAlāʾī*, 209; *Avicenna, al-Nafs*, 277
[751] *Mullā Ṣadrā, Asfār, volume 8*, 287
[752] See: *Avicenna, al-Nafs*, 280-81
[753] *Mullā Ṣadrā, Asfār, volume 8*, 294
[754] See: *Avicenna, al-Nafs*, 280

while perceiving smaller ones, such as perceiving the heavens alongside a mustard seed."[755]

For Ṣadrā, Avicenna's refutation of the immateriality of imagination and estimation can have big theological consequences for the average human souls who have not been able to reach the intellectual level but enjoy an afterlife. This is why "he sometimes claims their annihilation, [...], while at other times he claims their survival in terms of perceiving generalities (*ʿumūmāt*) and primaries (*ʾawwalīyāt*). However, anyone who is resolute in philosophy should know that the existential mode of afterlife is an [imaginal] perceptual one."[756] In other words, there should not be any happiness and enjoyment in just perceiving general and self-evident rules, like *the whole is greater than its parts*, that Avicenna thought of as the only possible way for the survival of average people afterlife.

For Ṣadrā, the immateriality of imagination can guarantee the survival of average human souls who have not been able to reach the higher levels of intellection. The resurrection will happen in terms of the imaginal existential mode, which is higher than the material world. It is the mode of imaginal body which will be the subject of various experiences of rewards and punishments, as the Quranic verses indicate. This is something that the evolutionary process of substantial movement confirms, in the sense that the resurrection should occur at a higher existential level, if the process of existence is progressive in its movement. Animal souls are not an exception, especially those animals endowed with imagination and estimative powers. However, the quality of animal resurrection will take place differently.

3.5.1 The quality of animal Resurrection

We already found out how, according to the Ṣadrian scheme of existence, the whole process of existence heads towards God as the telos of existence. It is according to this teleological and evolutionary process of becoming and movement that the doctrine of resurrection should be understood. However, the quality of the resurrection of different existents, including minerals, plants, and animals will happen differently, based on the existential level of the creatures.

In our discussion of animal self-awareness, we mentioned that according to Ṣadrā, the animals endowed with the most primitive forms of sensation are devoid of individuation and identity by themselves. In fact, with regard to their intellectual lords of species, they are merely relational, with no independence, just like the five senses that have no perception without the soul and the faculty of common sense, "because for all species of animals and natural bodies, there are intellect[ual lords of species] as their telos and origin."[757] For Ṣadrā, these kinds of animals,

> "which are merely sensing, with no retention and actual imagination, will return [to unite with] their intellectual lords of species, without their individuation and their multiple identities, which are a result of their multiple bodily existences, remaining

[755] *Mullā Ṣadrā, Asfār, volume 8*, 299
[756] *Mullā Ṣadrā, Asfār, volume 9*, 115
[757] *Mullā Ṣadrā, Asfār, volume 9*, 249

> with them. Instead, they will all exist in the one [and the same] existence, conjoined to their intellect, because they are all like different beams (*'ashiʿa*) of the same light leaked from different pores, and when the pores [i.e., bodies] are removed, the multiplicity between them will go away and they will be united in their origin."[758]

However, with regard to animals endowed with actual imagination and retentive power, the quality of the resurrection is different, since these kinds of animals enjoy separate and independent identities. Unlike the former, animals of this kind "will return and join their intellectual lords of species, but with the survival of their individual identities. Therefore, any group of individuals from the same species will be resurrected individually towards the intellect[ual lords of species] as the origin of their species."[759]

Due to the similar existential mode of these kinds of animal souls and the majority of humans who seek imaginative and estimative pleasures, Ṣadrā differentiates between the quality of resurrections of different human souls. According to him, only a minority of human souls, who are after intellectual pleasures, can enjoy an intellectual resurrection, i.e., the accomplished, perfect human souls. However, the imperfect human souls can be classified in two different categories with different kinds of resurrection. On the one hand, there are those imperfect rational souls who are eager to acquire intellectual perfection, but due to barriers, that is, obstacles which come from bodily, imaginative and estimative pleasures, despite they might have theoretical knowledge,[760] they cannot reach it. These people, after some time of punishment, can be refined and enjoy transcending to the higher existential levels of intellectual immateriality. In fact, the fire of hell will refine their souls, as fire and heat can heal and cure injuries, the point that Ṣadrā mentions, following Ibn 'Arabi.[761] However, when it comes to imperfect rational souls, which have no interest in intellectual perfection, whether because of their natures, like in the case of beasts and animals with no interests in intellectual perfection, or due to some incidental properties that have made them unkeen to pursue intellectual pleasures, these souls will enjoy the same quality of resurrection as the animals endowed with imagination and retentive powers.[762]

For Ṣadrā, the resurrection of plants' souls will occur in a similar way as that of the lower animals endowed only with the most primitive sensations. For these kinds of souls, "their movements and endeavors are limited to acquiring vegetative perfection, which is why their resurrection at the corruption of their bodies will occur [in relation] to the intellectual ruler, which is more inferior than other intellectual rulers of animal species, depending on the differences of their

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[758] *Mullā Ṣadrā, Asfār, volume 9*, 249
[759] *Ibid*.
[760] See: *Mullā Ṣadrā,Asfār, volume 9*, 125-139
[761] *Mullā Ṣadrā, Asfār, volume 9*, 346. For a detailed study on the concept of hell and its real implications in Ṣadrian philosophy, which is beyond the scope of my study, see: Rustom, The Triumph of Mercy, chapters 6 and 7. There he tries to provide an explanation on the basis of Ṣadrā's more later works, like Tafsir Sūrat al-Fātiḥa.
[762] *Mullā Ṣadrā, Asfār, volume 9*, 247-48

levels in intellectual nobility (*al-'ashraf al-ʿaqlī*)."[763] In other words, these kinds of plants will be resurrected in a unification with their lords of species.

3.6 Ṣadrā on the moral status of animals

Regarding how we should treat animals, there are no passages in Ṣadrā's works that explicitly talk about our relationship with animals from an ethical point of view. This is why to understand his position concerning the moral status of animals on the basis of the main doctrines of his philosophy, we need to reconstruct his ethical point of view in the shadow of his metaphysical approach.

In fact, there are some passages in his works that at the first glance might give the impression that other species of plants and animals, indeed all creatures in the universe, have been created for the sake of human being, and we humans have absolute mastery over them, or the right to take advantage of them in any way that we want. For example, adopting verses from the Quran, he says that,

> "of God's concern (*ʿināya*) to create the Earth and everything on it by which of them humans take advantage [...] is the birth of diversity of animals, '*and he disperses in it from all moving creatures (dābba)* (*Quran*, al-baqarah, verse 164), some for feeding, and '*cattle are created, and there are advantages from them for you of warmth and some to eat them*' (*Quran*, al-naḥl, verse 5), and some are for riding and ornaments, '*and horses and mules and donkeys to ride them and ornaments*' (*Quran*, al-naḥl, verse 8), and some for carrying, *'and they carry your loads to a land that you cannot get there, unless by distress of the souls, and your lord is compassionate and merciful'* (*Quran*, al-naḥl, verse 7), and some others for adornments and recreation, *'and when they go for grazing, and when they are back, it is ornament and beauty for you'* (*Quran*, al-naḥl, verse 6), and some others are for marriage, *'and God has appointed for you from your kind, mates'* (*Quran*, al-naḥl, verse 72), and some for clothes, home and furniture, *'and God has appointed for you of the cattle's skins homes for you, during your migration and when you are residing, you find them light, and of their wools and hairs, you find goods and furniture'* (*Quran*, al-naḥl, verse 80)."[764]

In another passage, referring to the Aristotelian doctrine of the hierarchical structure of the universe, he says: "the real purpose of vegetative faculties [in growing up and reproduction] is to become food for animals, and that of the animal faculties [in growing, reproduction and getting matured] is to provide food and the like for humans."[765] Regarding these texts, a bunch of questions may arise to which we need to try to respond. How can we describe the human relationship with the universe, and especially with plants and animals? Is it a relationship of dominion over all the parts of the universe, especially those on lower existential levels compared to human, which God has bestowed to humans as the crown of existence? Or conversely, does this give humans a greater responsibility towards the entirety of existence, and to animals in particular, which can have its own ethical implications for our treatment of them? To understand the quality of this relationship which can provide us with some

[763] *Mullā Ṣadrā, Asfār, volume 9*, 255
[764] *Mullā Ṣadrā, Asfār, volume 7*, 134-37
[765] *Mullā Ṣadrā, Asfār, volume 8*, 106

important insights, we need to pay attention to some important Ṣadrian doctrines.

3.6.1 Compassion for all existents: human being as the guardian of existence

In order to discuss how Ṣadrian philosophy can contribute to having a moral stance towards all the existents, animals among them, I need to explicate some major doctrines of his philosophy that can be relevant in this regard.

1. *The circle of existence or the doctrine of descending and ascending arcs:* as we have already mentioned, the whole universe with its hierarchical structure forms two arcs: one from God down to prime matter, known as the descending arc (*qaws nuzūl*), and conversely, from prime matter up to God, known as the ascending arc (*qaws ṣuʿūd*). Ṣadrā, following the Neoplatonist scheme of existence which was reflected in the ideas of his predecessors like Avicenna[766] and Suhrawardī[767] as well, talks about these arcs as two different kinds of origination:

   > "The wise God (exalted) created existents and ordered creatures in two sorts: one is innovative (*'ibdā'ī*) and the other creative (*khalqī*), and He ordered them in terms of innovative universals, in the sense that He made the superior as the cause of the inferior and as the cause of their survival, completer (*mutammīm*) for them and bringing them to their ultimate purpose and their most perfect end [this is the descending arc]. However, with regard to particular creatures, this happens in reverse, as they are ordered existentially from the inferior to the superior and the most perfect. He made the imperfect as the cause of the perfect and as the cause of the survival of the perfect, and the inferior as a servant for the superior, as the subject upon which the superior inheres and which is subservient (*musakhkhar*) to it [this is the ascending arc]."[768]

   These two arcs form a circle with God as its origin and then as its end. He mentions this point when he says,

   > "therefore, the universe entirely ordered in this way becomes like a single person, whose beginning is the Truth, its end is the Truth, and its form is the form of the Truth, but rather it is the Truth in its entirety, like a single circle that it begins with a point and ends in a point, but rather in its entirety is [like] a flowing point, from its essence, in its essence, towards its essence. But his great essence is far beyond any examples, and words cannot capture his attributes."[769]

   Then he refers to how "the vegetative body is created to feed the animal body as matter for its survival, and the vegetative soul in this regard as a servant for the animal soul and subjected to it. By the same token, as the level of animal souls is more imperfect and inferior than the level of human souls, they are appointed as servants and subjects to the rational soul."[770]
2. *The whole universe as a single person*: For Ṣadrā, the entire universe, in the descending arc from God to prime matter, and in the ascending arc from

[766] See for instance: *Al-Ishārāt wa-l-Tanbīhāt,* Avicenna, 321
[767] For a thoroughly discussion about Suhrawardī's doctrine of emanation and the hierarchy of existence see: Kaukua, *Suhrawardī's illuminationism*, chapter 6.
[768] *Mullā Ṣadrā, Asfār, volume 7*, 101
[769] *Mullā Ṣadrā, Asfār, volume 7*, 107-8
[770] *Mullā Ṣadrā, Asfār, volume 7*, 101-2

prime matter to God, forms an integrated unity similar to a single person or individual, all of whose parts work interdependently, heading towards absolute existence. As he says,

> "the universe in its entirety is a single person with a natural unity, and its unity is not like one between disparate things [...] because there is an essential relationship between its parts, because it emerges from the cause and effect order, an order of one superior thing after another to one inferior thing after another, and from one higher after another to one lower after another. Therefore, the unity of any togetherness of this kind is an essential unity, for you have found that the cause, as the entirety of the effect in a superior form, is the entirety of what's located under it. [...] The fact that the universe in its entirety is like a single person is demonstrated (*burhanī*) for us, and Aristotle the sage has mentioned explicitly that the universe is a single animal. [...] There's no doubt that the teleological cause for the whole universe, which is known as the macro-human (*al-'insān al-kabīr*) for mystics, is the First Truth (*al-ḥaqq al-'awwal*) the exalted, [...] , and God is the constituent (*muqawwim*) of its essence and establishes its essence and its truth."[771]

What follows from this perspective is that all parts of the universe, like those of an organic body, work together for a higher purpose, which is to unite with absolute existence, or God, as Ṣadrā explicates: "all natures move towards the supreme origin, from the nadir of the material world up to the intellectual world, in a gradual way, like a human in his substantial movement moves from lower levels up to higher ones, from being a sperm to becoming a perfect intellect."[772]

3. *The flux of divine love encompassing the whole universe*: as we mentioned earlier, all parts of the universe, from elemental forms, vegetative and animal souls, and the human souls, work together to form an organic system heading towards a greater goal, i.e., God. This implies that, for Ṣadrā, seen on a larger scale, these parts are not merely thriving for their own particular goods, but rather for a greater good, i.e., God as the cause for the persistence of the universe. He talks about this power that is flowing in all creatures and motivating them to acquire greater perfections, in terms of an eternal divine love, the thing that emanates life to the whole universe.

However, this love should not be seen as just limited to self-love and the survival of each individual and its species. Instead, since the universe ordered hierarchically and any inferior existent is mere dependence with regard to the superior existent over it, were it not for the care and concern of the higher levels for the lower ones, the latter would be annihilated.

Therefore, one can say that any existent in loving itself and striving to persist, whether as a single individual or as a species, in fact loves its higher causes that are accountable for the preservation of its existence, and strives towards them, that is, towards the intellects that are its Lords of species, and up to God himself as the main cause for the preservation of the universe. In other words, since no creature is the cause of its own persistence, not being

[771] *Mullā Ṣadrā, Asfār, volume 7*, 113-14
[772] *Mullā Ṣadrā, Asfār, volume 7*, 171

the cause of its own existence, when the creature loves itself, it loves the cause of its persistence and existence.[773] Ṣadrā says,

> "then know that the love that preserves any effect is its love of its cause, whose existence [i.e., the existence of effect] is attributive and relational with it. It is by means of this attribution, i.e., the relational existence [with the cause] that the essence of the effect is preserving and completes the effect's survival by bestowing existence and completing its essence. This is the meaning of their words [of some philosophers], *if there was not the supreme love, the lower things would obliterate*."[774]

4. *The hierarchy of compassion*: according to Ṣadrian metaphysics, the relationship between the inferior and the superior is the lower's love of and endeavor to reach the level of the higher, by actualizing the potentialities within itself. It is this love that motivates all worldly creatures towards higher levels, and consequently shows itself in substantial movement. On the other hand, the relationship between the higher and the lower levels is one of care, concern and compassion of the higher towards the lower. In fact, if it was not for the care and concern of the higher levels, or intellectual Lords of species for the different kinds of species, from inanimate minerals to plants, animals and humans, no particular individual would persist for a moment. Likewise if it was not for the care and concern of God for these intellects, they would not endure either. Indeed,

> "some existents are effects, and some are primary and others secondary. There is embedded in the nature of effects a desire and inclination towards their causes, and in the nature of the causes a kindness and compassion for their effects, as it is found in parents with regard to their offspring, and in mature beings towards immature beings, or in the powerful towards the weak, due to the need of the weak for the help of the powerful. [...] Because the effect is like a part of its cause, and the cause like the totality of its effect, the relationship between the needful and the needed is as we have described, the poor clinging to the rich and desiring him, and the rich being merciful and generous towards the poor by bestowing upon him from himself."[775]

In other words, as Necessary Existence has the highest care, concern, mercy and compassion towards the lower levels, just like their spiritual father, He emanates existence without any expectation or desire for compensation,[776] for He is absolute existence without any imperfection and non-existence. He acts out of pure generosity, and this is the case with any higher existential level towards lower existents.

In this hierarchy of existence, the more distant existences become from their origin in Necessary Existence, the more incomplete and more imperfect they become, down to prime matter in the lowest level. It is this imperfection and non-existence which is accountable for the different kinds of evils in the lower levels, especially in the material domain as the weakest and farthest from the origin. This existential weakness and non-existential aspect manifests itself in various forms of pain and suffering in the existents

[773] *Mullā Ṣadrā, Asfār, volume 7*, 158-59
[774] *Mullā Ṣadrā, Asfār, volume 7*, 160
[775] *Mullā Ṣadrā, Asfār, volume 7*, 163; see also: *Asfār*, volume 7, 117
[776] See also: Al-Ishārāt wa-l-Tanbīhāt, Avicenna, 296-97

endowed with perceptions. In fact, for Ṣadrā, following Neoplatonism, evils do not come from God as absolute existence, because they are non-existential in their nature. Any obstacles for receiving existence and goodness from the higher levels are due to limitations and effects in the recipient, and especially due to matter, which is responsible for potentiality and non-existence. Were it not for the limitations of matter, God would be emanating existence and goodness continuously and eternally. To explicate this, Ṣadrā uses an analogy:

> "Therefore, it is matter and its potentiality that are accountable for imperfection, rather than the Creator. [...] This is like the difficulty in forming iron into a long string and the inability to use it for knitting, like cotton and wool can be used.. It is not the blacksmith's inability, but rather the inability of iron itself to be knitted. [...] It is also like the wise man's inability in teaching an infant, which comes from the limitations of the infant, not those of the wise man. Similarly when the people of a nation of villains do not listen to their Messengers, [...] this is not due to the inability and weakness of the Messengers, but rather due to the vicious souls of the people, who are not predisposed to receive messages regarding God and the divine realm."[777]

5. *Acquiring perfection as the object of love:* for Ṣadrā, love is flowing throughout the universe, from prime matter up to God Himself. Love is the natural desire within all creatures, whether natural or sensible, mental or intellectual, towards perfection in its ultimate form, that is, unification with God and assimilation with Him as the origin of existence. With regard to material levels that have potential aspects, this love is always towards a perfection that the creature itself is devoid of, but with regard to immaterial separate intellects, which are purely actual with no potential aspects, it amounts to contemplating their own essence, which is purely relational with God himself. In other words, in contemplating their essences, they would contemplate God himself, as the ground of their existences.[778]

But how can there be desire and love in prime matter and inanimate things, as we have already found out that life in general, and perception in particular, are prerequisites for having desire? The reason comes from the fact that according to Ṣadrā, for everything that we find in the physical world, there are two other existential modes, i.e., the imaginal and the intellectual mode. Therefore, "any [physical] body has a mental [i.e., imaginal] form and an intellectual ruler, by means of which it has life and reason, not due to their dead body, which is dark in its essences, mixed with non-existents, perishable and passing, unless for a moment [enduring in the physical world]."[779] In other words, since for all material and worldly things, there are immaterial imaginal and intellectual existences, they are all alive and perceptive, in terms of their higher existential level, because on this level, they are all immaterial, indivisible, and pure presence. With regard to their material existence, they are divisible, and every part is absent from the other parts, they are endowed with no life and devoid of perception. It is in this sense that Ṣadrā concludes:

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[777] *Mullā Ṣadrā, Asfār, volume 7*, 96
[778] *Mullā Ṣadrā, Asfār, volume 7*, 148
[779] *Mullā Ṣadrā, Asfār, volume 7*,272

"revealed by insight (*baṣīra*) and known by demonstration, there are beaming bodies (*jisman shu'ā'īyan*) deep down inside the dark material bodies, flowing in them, like light flowing in glass, by means of which they receive life, and souls and spirits can manage them. I don't mean by that luminous body (*jisman nūrāniyan*) what physicians have called animal spirit, which is emitted from the blood in the heart and liver in animals of flesh, and which flows throughout the body through veins, because this is compound, whereas what we mean is simple. This is dark and material while that is luminous and immaterial in its essence, and this belongs to some bodies and receives life from outside, whereas that is flowing in all things and is alive essentially, since its existence is perceptive existence, which is the same as the perceiver itself."[780]

6. *The current of life flowing throughout existence*: on the other hand, since 'existence', 'presence' and 'life' are all different words for the same meaning, and existence is a matter of degree, all existents should have some share in life, and in being present and conscious. Ṣadrā mentions this idea when he says that,

> "love is flowing in all existence, [...] and we have mentioned repeatedly that life is flowing in all existence, [...] since we have said that existence is a single truth and the same as knowledge, power and life. Since there are not supposed to be any existents without the reality of existence, there are not supposed to be any existents without knowledge and action. [...] Therefore, all existents are alive for mystics, [...] whether simple or compound. All existents are alive and conscious and perceptive, and so they all have love and desire."[781]

For Ṣadrā, there cannot be love without being perceptive and conscious, and it was Avicenna's fault who thought one can talk about love in all existents,[782] from prime matter up to elemental forms, minerals, plants, and so forth, without proving that they are alive and conscious. "However, the people of intuition ('*ahil al-kashf*) of Sufis (*al-ṣūfiya*) found this out, because by reading the divine scripture and the prophets' words, they were enlightened about the fact that all creatures are alive and praying to God, as the Quran says, *and there are no things unless they are praying to God, however, you are not aware of them* (sūra al-'Isrā', verse 44)."[783] In other words, Ṣadrā holds that Avicenna couldn't provide a good basis for proving love in nature, because he thought of nature without consciousness. This is why Avicenna uses metaphorical language in referring to love in nature. However, Ṣadrā thinks his philosophy can provide a good demonstrative basis for proving life and love in all natural existents.[784]

7. *The levels of love*: according to Ṣadrā, the love in all things and in any faculty is towards something in the lover's own genus, by means of which the lover's imperfect existence would reach perfection. For example, the eyesight loves lights and colors, or the intellect loves the intelligibles, for by acquiring them and unifying with them they become complete and eliminates its imperfections.

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[780] *Mullā Ṣadrā, Asfār, volume 9*, 272
[781] *Mullā Ṣadrā, Asfār, volume 7*,150
[782] See: *Avicenna, Risāla fi-l 'Ishq, in Rasā'il*, 375-83; *Al-Ishārāt wa-l-tanbīhāt, Avicenna*, 352
[783] *Mullā Ṣadrā, Asfār, volume 7*, 152-53
[784] *Mullā Ṣadrā, Asfār, volume 7*,155

By the same token, Ṣadrā holds that human is the microcosm in the sense that all existential levels of the natural, vegetative and the animal faculties, as well as of the separate intellects, can be found in him although the latter is reserved for a minority. Hence, if the beloved should be the lover, albeit in a perfect and complete form, then the real object of human love should be the thing that has all these in the highest and most complete form, i.e., the Necessary Existence, as He is the whole existence in its entirety. This is why the highest form of love belongs to God, and it can be found in more perfect humans. After God, the second object of human love is what Ṣadrā, following mystical tradition, calls the macro-human (*al-'insān al-kabīr*) or the macrocosm (*al-'ālam al-kabīr*). He says about this kind of love that its object is,

> "the universe in its entirety, in terms of including the manifestations of God's attributes and His names, His throne, the skies, the sun, the moon and the stars, and the Earth and everything on it, the varieties of animals, plants and minerals, such as gold and silver and so forth, and the seas and the wonderful things in it, and the things in the air, like winds and clouds, rains and snows, lights and comets, and things of that kind."[785]

Finally, the third proper object of human love is microcosm (*al-'ālam al-ṣaghīr*), or as Ṣadrā calls it, the micro-human, since for human, "as the lover including all faculties, either potentially or actually, it is not entitled to have a beloved other than the particular microcosm and the particular human.,"[786] or "the smaller love is for the micro-human (*al-'insān al-ṣaghīr*), since he is like a model of what is in the macrocosm entirely."[787] What is interesting here is how Ṣadrā considers love for the universe and all of its parts, including animals, in a level higher than the level of love for a particular human.

After finding out some important doctrines of Ṣadrian philosophy concerning the relationship between the different existential levels of the universe, we need to investigate passages in which Ṣadrā specifically talks about animal suffering. Then we can try to see how all these might affect each other, and what conclusions we can draw from them concerning the moral status of animals and our treatment of other species.

3.6.2 Towards a care ethics for animals as sentient creatures, and the whole universe as the manifestations of pure existence, and some similarities with the capabilities approach

In a fourfold classification of the different kinds of goods and evils, Ṣadrā considers the pain and suffering of animals as the second kind of evils that needs to be investigated thoroughly.[788] For Ṣadrā, the goods which are attributed to natural phenomena all come from God as the source of existence and goodness, but the so-called evils attributed to natural phenomena and animals do not originally come from God, but rather out of the limitations of the matter as

[785] *Mullā Ṣadrā, Asfār, volume 7*,180
[786] *Mullā Ṣadrā, Asfār, volume 7*,180-81; ibid., 183-84
[787] *Mullā Ṣadrā, Asfār, volume 7*, 185
[788] *Mullā Ṣadrā, Asfār, volume 7*, 94

receiving the divine emanations in a gradual and limited way. In other words, since matter cannot receive all the perfections of a species all at once in one form, it will receive them in a gradual way. Receiving the perfections in a gradual way results in generation and corruption, tied with loss, pain and suffering and death.[789]

In a response to the question of why animals feel pain and suffering when they are slaughtered, killed or caught, Ṣadrā says that unlike those who believe in reincarnation, Buddha, some illuminationists and the brethren of purity among them,[790] animal suffering is not due to a punishment for their former lives, "but rather in order to instigate their souls to preserve their bodies from harms and injuries and non-existence, from being careless towards their bodies, and from delivering them to perdition, until the due time when their death will arrive."[791] He also says that "God exalted, in creating generated things (*al-ashyā' al-kawniya*), appointed them either for the benefit of animals or for [their capacity to] escape harms, and he has not abandoned anything without some benefit."[792]. In other words, pain and suffering in animals are mechanisms that God has created to guarantee their lives and prevent their premature death.

In his response to the question of why animals love life and escape from death, Ṣadrā provides three reasons. Firstly, this is because life resembles survival and death resembles annihilation. Since God as the ultimate purpose of the whole universe is pure existence and life, and all existents in pursuing life and survival are trying to assimilate to Him as the cause of causes. Secondly, it is because in separating their souls from their bodies, they would be in pain and suffering. Ṣadrā does not explain more about this reason, but the reason behind it seems to be related to the mechanism of pain in creatures for preserving the body and its connection with the soul. In other words, the separation of the soul from the body is equal to death, and pain as a mechanism to prevent death should arise as a result of this threat. Thirdly, it is because it seems that since animals have no perception of their immaterial existence, they behave as if this were their only life, and when they confront a threat, they will show the greatest amount of distress and agitation, which reveals itself as pain and suffering.[793]

Responding to the question of why animals are not inspired by their lords of species to know of their immaterial existence, i.e., their imaginal existence, Ṣadrā refers to a principle that shows how having a full-fledged and flourished life is of great importance, because according to him, if animals could perceive their immaterial existence,

> "they would leave their bodies before they become complete and perfect, and if they left their bodies before becoming complete and perfect, they would remain meaningless and vain, with no occupation and action. But there is nothing vain in

[789] *Mullā Ṣadrā, Asfār, volume 7*, 95
[790] See: *Mullā Ṣadrā,Asfār, volume 9*, 7-8
[791] Mullā *Ṣadrā, Asfār, volume 7*, 102
[792] *Ibid*.
[793] *Mullā Ṣadrā, Asfār, volume 7*,102-3

existence, since everything has its own specific effect, and it would not be wise, if there existed idle souls that did not manage any body."[794]

I think, in line with the capabilities approach, where Nussbaum thought of a premature death of an animal as a great loss before the creature might be able to realize its fundamental capabilities of its kind,[795] this passage also shows us how a premature death prevents an animal from having a prosperous life, when the animal hasn't found a good opportunity to actualize the capabilities of its species.

Now we are in a good position to ask about the real implications of the above-mentioned Ṣadrian ideas regarding nature in general, and animals in particular.

1. Even though Ṣadrā thinks about the whole existence in a hierarchical way, this doesn't mean that the relationship between the superior and the inferior should be one of dominion and exploitation of the lower levels by higher levels. Instead, it should be one of compassion, concern and kindness, just like the one God, who has the highest concern and compassion towards the lower levels, shows in creating the universe in the best possible form. Were it not for his grace and concern towards the universe, it could not persist for a moment. In fact, the more the humans become perfect existentially, the more they will resemble God in their actions, and the perfect human as the real manifestation of God will have the highest level of care and concern for the whole universe and its parts, the minerals, the plants, the animals, other humans, the environment, and so forth.

   Ṣadrā thinks of these perfect humans by means of an analogy to,

   > "the compassion of a father and a kind master [shows] in teaching children and disciples to save them from the darkness of ignorance towards knowledge, and to make them complete by actualizing the sciences, knowledge, wisdom and crafts that are hidden in their souls. In so doing, they follow God and resemble His wisdom, because He is the cause of actualizing existents from potentiality, and bringing them from hiddenness to manifestation. Therefore, any soul endowed with more knowledge and more established crafts and good deeds, and having more emanations towards others, will have greater and stronger resemblance to God, and this is the level of the angels '*who do not disobey what God ordered them and perform what they are commanded*' (*Quran*, al-Taḥrīm, verse 6)."[796]

   According to Ṣadrā, this can explain the real implications of the past philosophers' definition of philosophy, according to which, "[the purpose of] philosophy is to resemble God as much as a human being can, which means that anyone with real knowledge and well established crafts, with good deeds and moral beauty, with the right ideas, and with greater continuous emanation [i.e., concern or care] towards others, will be closer to God and more resembling of Him, because this is how God is."[797] Therefore, according to this approach, the virtuous man who exemplifies the ideal of the perfect human, as the real philosopher, should have the highest care and concern for all existents, including the animals. In other words, for Ṣadrā, the human

[794] *Mullā Ṣadrā, Asfār, volume 7*,103
[795] See: chapter one, 48
[796] *Mullā Ṣadrā, Asfār, volume 7*,104
[797] *Mullā Ṣadrā, Asfār, volume 7*,104

should be the guardian of existence and all its parts, if he wants to be successful in reaching perfection and resemblance to God. This indicates huge responsibilities that we humans have towards animals as well. In fact, similar to what Nussbaum calls *intelligent paternalism,* where human, as occupying a higher status compared to other creatures, adopts some practices in favor of securing the basic needs or entitlements of the lower forms of life, despite it may look hierarchical and paternalistic at first glance,[798] the hierarchy as held by Ṣadrā is a hierarchy of compassion, concern and care rather than a hierarchy of domination and exploitation, since the higher an existent is, the more responsibilities towards the lower levels there are on its shoulders.

2. We need to know the limits of these responsibilities that we humans have towards the universe, and animals in particular. In other words, what are the concrete implications of being a guardian, particularly in terms of our relationship with other species of animals? For example, should we stop using them in various ways, like as food and clothes, or can we use them for different purposes while still being guardian? I think we can have two different interpretations of being a guardian with regard to animals, that is, a *minimal* and a *maximal* interpretation.

   According to the former, i.e., the *minimal* interpretation, we can still use animals for different purposes, like for food, clothes, or entertainment, provided that they have a flourished life, living freely during their lives, being able to communicate with their species fellows, having all their essential needs satisfied, and enjoying life during the time that they are alive. And if we are going to use their meat for our own ends, they have to be slaughtered as quickly as possible, and with the least pain and suffering, since pain is the non-existence of perfection and existence which is bad and evil, according to Ṣadrā,[799] and no animal goes for it by their nature. In other words, pain is not something that is sought after by any creature in the first place, because the substantial movement is always towards perfection which is pleasant and existential. At the same time, raising animals for various purposes should be conducted harmoniously with the other parts of nature, like the environment, including the soil, water, air, plants, and so forth. This minimal reading of the Ṣadrian principles might be practically in line with strands of animal welfarism, and specifically the capabilities approach, according to which we can use animals for varieties of reasons provided that during their lives they enjoy having a prosperous life, a similar position that I think Avicenna also adopted in his ethical theory towards non-human animals, as I tried to address in the previous chapter, as well as with environmentalist approaches that do not completely reject the human use of animals, but do incorporate a concern for their interests.

   On the other hand, according to the maximal interpretation of these principles, compassion, mercy and concern towards animals are not

[798] See: chapter one, 55
[799] *Mullā Ṣadrā, Asfār, volume 7*, 66-67, 148

compatible with killing them for their meat, even if this were done painlessly, for after all, no animal is willing to die, according to Ṣadrā.

In fact, for the historical Ṣadrā, it would have been hard to imagine how humans can live and survive without eating animals. And if he refers to the Quranic verses indicating how we humans are allowed to eat some of them or to use their skins, we should not forget the historical context in which he lived and in which humans were more dependent on animals for their survival. But nowadays, when human dependence on animals has decreased and alternatives are provided that are more humane towards both animals and the environment, like plant-based products for food, which are environmentally efficient and in harmony with nature, should we still insist on killing animals for our palate?

If all animals have an interest in having a flourishing and full-fledged lives, if pain and suffering work as mechanisms to secure their survival, and if premature death prevents them from having flourishing lives, we humans have an existential and moral duty to help and assist them to actualize their capabilities, if we hope to reach our own perfection and to resemble God. Therefore, we need to take practical steps to reduce all kinds of procedures involving animal suffering, as much as we can.

If we need to prepare conditions to reduce using animals for our purposes, then for what purpose they would exist anymore? In fact, instead of raising them just for our purposes, animals in this picture play their own special role as a part of the ecosystem of the natural world, thus making life possible for us humans as well. At the same time as they play their natural role in the survival of the ecosystem, they provide us tranquility and the gift of life with their diversity and beauty, or as Nussbaum, following Aristotle, has mentioned, animals as the objects of *wonder*,[800] since life and existence are good in themselves for Ṣadrā. In this way they also serve us, for as he says, "the beauty of the sky are the stars, and the beauty of the stars are the spiritual angels. The beauty of the earth are the animal souls, their beauty is in the service of human souls, and the beauty of human souls is to acquire the divine knowledge that they share with the proximate angels."[801]

Whether we agree with the minimal or the maximal interpretation of Ṣadrā's ideas, what seems obvious and non-controversial with regard to the implications of his philosophical approach is his strong opposition to what's going on nowadays in the process of the mass production of animals known as factory farming, where animals are seen as mere resources for human consumption. According to this picture, animals are not intrinsically valuable, but only valuable as instruments in the production machinery, and when they lose their efficiency, they can be easily replaced by new instruments. Naturally, conceived as instruments, animals would not have any interests as living creatures, but like machines or automata, they only need to be monitored for reasons of maintenance. To increase production for the sake of

[800] See: chapter one, 50
[801] *Mullā Ṣadrā, Asfār, volume 7*, 138

greater profits, humans see themselves entitled to change and modify animals , at the cost of great harm and pain for the animals, and at the same time to keep them in poor conditions to reduce the costs of production. Needless to say, animal mass production inflicts damages to nature and the environment, like water pollution, deforestation, soil erosion, drought, starvation of poor nations and global warming. And all these are deeply rooted in seeing the universe as a big machine, and animals as automata – a concept that, starting with Rene Descartes, very soon became paradigmatic for the modern area. Nicolas Fontaine, a contemporary of Descartes, captures this stance in these words:

> "The [Cartesian] scientists administered beatings to dogs with perfect indifference and made fun of those who pitied the creatures as if they felt pain. They said the animals were clocks; that the cries they emitted when struck were only the noise of a little spring that had been touched, but that the whole body was without feeling. They nailed the poor animals up on boards by their four paws to vivisect them to see the circulation of the blood which was a subject of great controversy."[802]

[802] Lenora Rosenfield, *From Beast-Machine to Man-Machine* (New York: Columbia, 1968), 54, quoting from Regan, *Animal rights, Human Wrongs*, 34

4 CHAPTER 4: CONCLUSION

I tried to assess thoroughly the major contemporary moral theories regarding the status of animals in the first chapter. Then I tried to reconstruct Avicennian animal philosophy and the consequences it might have with regard to the status of animals in his philosophical scheme in the second chapter. In the third chapter, I reconstructed Ṣadrian animal philosophy and the possible outcomes that they might have in relation to the status of non-human animals in various ways in his philosophical conception. Now we are in a good position to assess these three chapters in relation to each other by having a critical assessment of the aforementioned approaches.

1. The first question that I would like to raise is about the concept of speciesism and evaluating Avicennian and Ṣadrian philosophical approaches with regard to non-human animals. The question is, according to modern evaluations and as modern readers, how can we describe the status of animals in their philosophical systems? Are there any signs or reasons to convince us to use modern evaluative labels like speciesism regarding their animal philosophies?

   With regard to the Avicennian philosophy, I think, there are some reasons that can convince us to evaluate his conception of non-human animals against human species as discriminative by giving more weight to us humans, with no good reasons. One is related to giving the privilege of rationality merely to human species, regardless of the levels in which they might be. In fact, for Avicenna, all humans are born with an intellectual soul by default, because it is the differentia of human species. No other species of animals, even with higher cognitive capabilities than a human infant, like primates,

dolphins, elephants, etc., can never attain some degrees of rationality, whereas a human is born with it, regardless of the levels of immaturity, or the possible levels of disabilities in which they might be. In fact, as we saw earlier, the strict metaphysical framework of Avicennian philosophy does not let him adopt a more flexible stance regarding species, with no room for the idea of the species form or substance as the matter of grade. This would result in refraining to attribute varieties of capabilities to non-human animals, as we discussed earlier, despite the fact that many of them are detectable in other species at different levels.

The other feature of Avicennian philosophy which can be evaluated as discriminative with regard to other species is about how he refrains to attribute an afterlife for other species of animals, which can have various consequences for theodicy. In other words, in case of the lack of afterlife, how can various pains and sufferings that had already been inflicted on animals during their lives be retributed? Avicenna could answer by saying that animal suffering does not constitute a problem of evil, because it is morally irrelevant. This would be inconsistent, however, for as I have shown, Avicenna himself recognizes the ugliness of animal suffering, and argues that we should take care of animals in a way that minimizes undue harm to them. Whereas with regard to humans, according to him, regardless of what age they are in and what kinds of capabilities they might have, they can always enjoy having an afterlife, even though as immature humans, they might not have developed or actualized any activities which can imply rationality in them, i.e., humans just in the levels of sense or imaginative perceptions. However, with regard to other species in these levels or even higher ones, they might not enjoy any kind of an afterlife.

On the contrary, Ṣadrian metaphysics provides an approach regarding species forms that implies more continuity between them, instead of a strict separateness that Avicennian metaphysics provided. In fact, following the doctrines of gradation of existence and substantial movement, humans are not born from the beginning with an intellectual soul. The intellect, for Sadra, is a characteristic that should be obtained through a painstakingly hard process of existential transformations that can turn the human substance into a more elevated and developed form of immateriality, that is, the intellect. These existential levels are just reserved for a minority group, like prophets, sages, mystics or the ideal of perfect human. Otherwise, with regard to the majority of humans who cannot attain these levels, they reach some levels of rationality, however, pursuing worldly pleasures and happiness, or the estimative ones. In fact, as far as the objective is concerned, there are no huge differences between the majority of human species and other species of animals, especially more developed ones, with higher capabilities, or the species more close to human kind, like monkeys. This metaphysical approach can result in a less discriminative stance with regard to human and non-human animal species.

On the other hand, the doctrine of the gradation in the case of immateriality provides Sadra with a new kind of incorporeality, that is, the imaginal one that can resolve the eschatological problems of the bodily resurrection with which Avicenna was faced. Consequently, he can deal with the quality of resurrection of those human souls who have not reached the intellectual levels, just bound to the level of imagination, whereas imagination for Avicenna was a material power, doomed to annihilation. However, Sadra, with his doctrine of imaginal immateriality of souls at the level of imagination, whether human or non-human animals, could provide a resolution for these issues, as well as theodicy regarding animal suffering. All these, alongside with other components of Ṣadrian metaphysics that I tried to explicate more thoroughly in the chapter 3, like the hierarchy of compassion, human as the guardian of existence and existents, animals among them, etc., give his metaphysics a higher position in relation with the status of animals, as well as other species forms, than Avicennian one.

Therefore, to the question of if there is any condition that makes a member of species other than humans more superior than a member of human species, while the Ṣadrian metaphysics seems to respond positively, the Avicennian philosophy responds negatively in the absolute sense of the word. But according to the Ṣadrian philosophy, a human infant or a human with extreme mental disabilities that even cannot form primitive imaginative or estimative perceptions, compared to, for instance, a mature elephant, monkey or other species with higher mental capabilities, should have a lower existential status. If such human dies in these conditions, without developing imaginative or estimative perceptions, compared to an animal that loses its life with higher mental capabilities, it will be those animals who can enjoy having a higher kind of afterlife with individual immateriality, unlike those members of humans who fall short of having any individual immateriality after death. However, with regard to the Avicennian philosophy, it will be those humans with extreme disabilities who can enjoy having an afterlife, not individual animals with higher capabilities. It is always humans who can enjoy a higher status in different aspects, compared to other species, regardless of what capabilities they might have developed. Whereas, for Ṣadrā, the actual capabilities play an important role, so much so that they even make an eschatological difference.

At the same time, there is some evidence in Ṣadrā's works indicating a discriminative attitude against species other than humans. This is especially the case about his explanation of the quality of resurrection of those imperfect human souls, that when they will be resurrected with their imaginal bodies, depending on what kind of vices they had done during their earthly lives, they will be embodied in the form of animals in their afterlife. For instance, drawing on Quranic and prophetic data, he talks about how ignorant people might resurrect in the form of donkey, or people with other vices can be metamorphosed or get the forms of dogs, apes, cattles, pigs, and etc. In fact, thinking of animals as the symbols of vices would be definitely a

discriminative mistake by him. Why instead of vices, animals cannot be symbols of virtues, like dogs as a symbol of loyalty and attachment, or donkeys as a symbol of diligence and even cleverness, etc.

In a nutshell, if we think of speciesism as a matter of degree, Avicennian metaphysics systematically has more discriminative components against non-human animals and might be evaluated with more speciesist elements, while the Ṣadrian philosophical system might give better grounds for developing a care ethics, whether towards animals or even other species.

2. The other question that I would like to investigate here is about how the modern approaches in moral philosophy, especially those we discussed in the chapter one, could be evaluated in terms of practicality, according to Avicennian and Ṣadrian approaches, both of which can be generally described as virtue-based approaches.

As we saw earlier, for Avicenna, and Ṣadrā as well, ethics or moral philosophy are discussed under the title of practical intellect or practical wisdom. Practical intellect, at the same time, is subdivided into three branches including *moral temperament* (*'akhlāq*) which can be rendered as *self-managing*, managing household members (*tadbir al-manzil*) and managing society as a larger unit *(siyāsa)*. While the first deals with how to treat ourselves as individual persons which can be rendered as the ethics of character, the second and the third branches deal with how to treat others which can be rendered as the ethics of conduct. According to this approach to morality which ties ethics of conduct to ethics of character, to have ethical treatment with others, whether as the head of the household or as the head of a bigger unit like city or society, we need to have ethical characters or personalities, by attaining four main virtues of the practical wisdom, that is, modesty for the appetitive power, bravery for the irascible power, wisdom for intellect and justice as the virtue resulting from the perfection of each of these faculties. In other words, virtues are the traits that we need to cultivate through the process of habituation and conditioning over time.[803] On this account, without improving our personal characters, from the perspective of moral psychology, expecting moral actions from human individuals does not seem to make sense. It would not be wrong if we say that the main aim of Avicennian and Ṣadrian philosophy are towards how to nurture virtuous humans or intellectual persons such that all of the lower powers of their souls would be under the control of their rational power, a virtuous human being who can be elevated in the ideal of the perfect human.

However, with regard to Singer's utilitarian and Regan's right-based approaches, it seems that the main emphasis is on the ethics of conduct, with not so much attention to the importance of how the character of the agent should be nurtured, whereas the personal traits can be of great importance in terms of moral psychology. For instance, one crucial personal feeling and emotion which seems to play a major role in any moral theories, including

[803] For a discussion on virtues specifically in Fārābi and Avicenna, see: Mattila, *The Eudaimonist Ethics of al-Fārābī and Avicenna*.

Singer's and Regan's, is empathy or putting ourselves in the shoes of others. Without having this feeling, almost every ethical theory would collapse. The other personal traits in leading the person to moral conduct can also be crucial. As a person with no enough control over his cravings and anger with no good intention would be less likely to conduct themselves ethically in relationship to others. In other words, paying attention to the ethics of character is to provide a good psychological basis or mindset in which the person would be more likely to treat others morally, and it can be more effective in practical terms.

However, specifically regarding Regan's rights based approach, one point that comes to my mind is about the language and the terminology that he uses in his moral theory and the mindset and the impression that they can form in this regard. In other words, I think, using the language of rights and terms accompanying it, like due, demand, owing or owed, indebting, and so on, can weaken empathy and kindness as two crucial elements of any moral theory. Following that, it replaces the language of care, forgiveness and humbleness with the strict and more unforgivable language of transaction and commerce, where self-interest plays a major role. It is not surprising why his moral theory emphasizes hugely on elements like individualism and huge separateness between persons by putting *no trespassing* signs between them.

Using the language of rights and accompanying terms with it can be apt in the political sphere in terms of legislative actions to resolve possible conflicts between people, where the other side is the political institution, responsible for the well-being of civilians as persons. However, importing such language into the interpersonal relationships might make people's attitudes to each other as merely obligor and obligee. What is more needed in the level of interpersonal relationships though is an attitude of empathy, compassion and kindness, where people do not think of each other as separate individuals with the mindset of emphasizing on their own self-interest. Alternatively, it is the virtue of empathy and compassion that needs to be cultivated in them, towards an integral relationship among people, a virtue which stands between apathy and cold-heartedness in one extreme, and hyper empathy and paying too much attention to others feelings and emotions on the other side.

3. The other invaluable aspect of the philosophers like Avicenna and Ṣadrā that can have various practical consequences in terms of moral psychology, I think, is related to how sub-conscious, non-reflective perceptions play an important role in our daily life and the possible decisions that we might make in different ways. As we saw earlier in detail in chapters on Avicenna and especially Ṣadrā, the predominant faculty in the majority of humans is the estimative faculty which shows its role in terms of the process of conditioning. In other words, the majority of humans make their decisions on the basis of unreflective perceptions that result from how their minds have already been conditioned, instead of a reflective fully assessed process of intellection. Something that we can see nowadays ubiquitously in different aspects of the

capitalistic modern life as well, where the companies and producers try to sell their products. One prevalent example, among many, that can be familiar for almost all of us throughout the world concerns product pricing by stores. Pricing a product for 1.99€ instead of 2€, for instance, gives the unreflective impression to the person that the price still remains in the range of 1€, though when the shocked customer, after paying more than expected, examines more consciously the receipt finds out the reality of it. Or when advertisers fantasize about their different products by flavoring them with some erotic or romantic spices in their advertisements, they are exploiting these psychological aspects of human minds.

If it is so, that is, the major decisions from humans come from their unreflective impressions, rather than reflective fully assessed perceptions, especially in the realm of daily life, to make people more attracted to vegetarian or vegan diets, we need to consider it more seriously. In other words, if people's mindset has already been conditioned by meat-eating culture, one strategy to promote vegetarianism or veganism would be producing plant-based products with the similar quality and look of animal-based products, making them more accessible, instead of just sticking to providing them with different arguments about the ethics of using animal products. While providing arguments can play an important role in convincing people to treat other species more humanely, however, negligence of the cultural and psychological aspects, especially when the desire of palate is at issue, can deactivate the power of arguments. In other words, according to the picture that philosophers like Avicenna and especially Ṣadrā provide, if the power of estimation is more effective in most of humans, and it is just a minority with the power of intellection, committing to vegetarianism or veganism on the basis of rational grounds would to be appropriate with regards to more perfect humans who take the highest pleasure in rational pleasures. But, with regard to the rest of humans who mostly appreciate bodily pleasures in a higher degree, paying attention to this aspect of subconscious decisions needs to be taken seriously. It is here that the role of estimation, or unconscious perceptions, becomes important.

SUMMARY

Tämä väitöskirja käsittelee eläinten moraalista asemaa kahden vaikutushistorialtaan erityisen merkittävän muslimifilosofin ajattelussa. Käsitellyt filosofit kirjoittivat hyvin erilaisina aikoina. Ibn Sīnā (lat. Avicenna, k. 1037) eli ns. Islamilaisen ajattelun kulta-ajalla, kun taas Mullā Ṣadrā (k. 1635/6) vaikutti safavididynastian hallitsemassa Iranissa noin kuusi vuosisataa myöhemmin.

Pääasiallinen syy erityisesti Ibn Sīnān käsittelyyn on hänen vertaansa vailla oleva vaikutus kaikkeen hänen jälkeiseensä filosofiaan islamilaisessa maailmassa. Tästä vaikutushistoriallisesta asemasta huolimatta hänen eläinfilosofiaansa ei ole kattavasti tutkittu, kysymystä eläinten moraalisesta asemasta ei käytännössä ollenkaan. Mullā Ṣadrān valinta puolestaan on perusteltua siksi, että ṣadralaista filosofiaa voidaan suurelta osin pitää rakentavan kriittisenä reaktiona avicennalaisen filosofian ongelmiin. Ṣadrān filosofia vaikuttaa myös erilaisten tulkintojen kautta merkittävästi oman aikamme iranilaiseen ajatteluun.

Modernin lukijan, jonka tarkoituksena on tutkia aikaisempien filosofien ajattelua oman aikansa kysymysten valossa, täytyy ensiksi perehtyä seikkaperäisesti näihin kysymyksiin. Näin on myös eläinetiikalle keskeisten kysymysten kanssa, joiden keskiössä on ihmisen tapa kohdella muunlajisia eläimiä. Jotta voimme arvioida Ibn Sīnān ja Ṣadrān ajattelua suhteessa oman aikamme filosofiaan, meidän on aluksi perehdyttävä johtavien modernien eläineetikoiden ajatteluun.

Väitöskirjan ensimmäinen luku käsittelee kysymystä eläinten moraalisesta asemasta kolmessa oman aikamme eläinetiikan keskeisessä teoriassa.

Peter Singerin utilitaristisen lähestymistavan mukaan kaikkien olentojen, joilla on kyky preferensseihin ja haluihin, preferenssien tulee olla eettisesti samanarvoisia sosiaalisesta tai taloudellisesta luokasta, rodusta, sukupuolesta ja biologisesta lajista riippumatta. Tuntevina olentoina ei-inhimilliset eläimet tulee ottaa eettisen harkinnan piiriin. Heidän halunsa ja intressinsä välttää kipua ja kärsimystä tulee ottaa huomioon yhtä tärkeinä kuin ihmiseläinten vastaavat halut ja intressit. Tämän harkinnan tulee ohjata kaikkea eläimiin liittyvää toimintaa, koska kivun kokeminen on yhtä paha asia riippumatta kokijan lajista.

Tom Reganin deontologinen eläinoikeusteoria esittää, että jokainen olento, joka täyttää elämän subjektina olemisen kriteerit, on oikeutettu itseensä liittyviin velvoitteisiin eli oikeuksiin, jotka edellyttävät olennon kunnioittavaa kohtelua ja antavat hänelle itseisarvon. Elämän subjekteina ei-inhimillisillä eläimillä on näin ollen oikeus kunnioittavaan kohteluun, ja heillä on kategorinen itseisarvo, jota ei tule missään olosuhteissa rikkoa.

Martha Nussbaumin kykyihin perustuva lähestymistapa argumentoi, että mikäli olennolla on perustavia tarpeita ja kykyjä, olennolle ominainen arvokas elämä on sellaista, jossa näiden tarpeiden ja kykyjen täyttäminen ja kehittäminen on mahdollista edellyttäen, ettei tästä koidu haittaa muille. Näin on riippumatta siitä, onko olento inhimillinen vai ei. Olennolla on kykyjensä nojalla oikeus kukoistaa, ja ihmisten yhteiskunnan ja poliittisen järjestelmämme täytyy ryhtyä

vaadittuihin toimenpiteisiin tämän oikeuden turvaamiseksi ja tuomiseksi perustavien oikeuksien piiriin.

Väitöskirjan toisessa luvussa käsittelemme Ibn Sīnān kantaa suhteessa eläimiin. Käsittelyä ohjaa kaksi laajaa teemaa: kysymykset siitä, mihin eläimet kykenevät ja mihin he eivät kykene.

Tutkimus paljastaa, että Ibn Sīnān mukaan eläimillä on laaja kirjo kykyjä, jotka ovat yhteisiä inhimillisille ja ei-inhimillisille eläimille. Nämä kyvyt voidaan jakaa kahteen luokkaan: eläinten havaintokykyihin ja eläinten liikekykyihin. Osoitamme, että Ibn Sīnān teoriassa eläinten sielulla on sekä ulkoisia että sisäisiä havaintokykyjä. Ulkoisia kykyjä ovat viisi aistia: tunto, maku, haju, kuulo ja näkö. Sisäisiä aistikykyjä ovat yhteisaisti, muotoja säilyttävä kuvittelukyky, arviointikyky, muisti sekä yhdistelevä kuvittelukyky. Liikekyvyt puolestaan ovat vastuussa eläinten liikkeestä ja niiden yllyttämisestä erilaiseen toimintaan. Kaksi pääasiallista liikekykyä ovat halu ja suuttumus, jotka tekevät eläimistä voluntaarisia toimijoita. Niillä ei kuitenkaan ole ymmärrykseen perustuvaa tahtoa, joka on ominainen yksinomaan ihmisille, vaan ainoastaan ruumiillis-aistimellinen tahto. Tämän nojalla eläimillä on kolme pääasiallista tunnetta: pelko, suru ja ilo.

Ibn Sīnā kuitenkin uskoo, että tietyt psykologiset kyvyt ovat seurausta järkisielusta, joka on ihmislajin erottava tekijä, ja hän ajattelee niiden olevan yksinomaan ihmisille ominaisia. Ei-inhimilliset eläimet eivät voi olla osallisia näiden kykyjen mukaiseen toimintaan, johon lukeutuvat sosiaalinen elämä ja moraali, tehtävien eriytyminen ja käsityötaitojen periytyminen, puhe, ymmärrykseen liittyvät tunteet (hämmästys, itku, nauru, häpeä), ajan havaitseminen, käytännöllinen järkevyys, käsittäminen ja arvostelmiin myöntyminen, tietoinen muistelu sekä kyky aktiivisesti ja tietoisesti muodostaa fiktiivisiä kuvitelmia. Koska Ibn Sīnā piti substanssin kategoriaan kuuluvia aste-eroja mahdottomina, hänen mukaansa ei-inhimillisillä eläimillä ei voi olla näitä ymmärrykseen perustuvia kykyjä missään muodossa, ja hänen teoriassaan biologisten lajimuotojen väliset rajat ovat pysyviä ja ylittämättömiä. Tämä näkyy myös hänen tavassaan käsitellä ihmisten ja muiden eläinten itsetietoisuutta. Järkisielunsa osalta aineettomien ihmisyksilöiden itsetietoisuus on katkeamatonta ja pysyvää, kuten leijuvan ihmisen ajatuskoe osoittaa, kun taas ei-inhimillisten eläinten itsetietoisuus on järkisielun puuttumisen vuoksi katkonaista, muihin tietoisuuden sisältöihin sekoittunutta ja arviointikykyyn perustuvaa. Näin ollen ei-inhimillisillä eläimillä ei voi olla sellaista universaalia havaintoa itsestään kaikista havaintokohteista riippumatta, joka ihmisillä on. Eläimillä on korkeintaan jokaiseen yksittäiseen havaintoon liittyvä yksittäinen arviointikyvyn havainto itsestään.

Ibn Sīnān mukaan ei-inhimilliset eläimet tulee tuoda moraalin piiriin, koska aistivina olentoina he kykenevät tuntemaan kipua ja nautintoa, jonka vuoksi heitä voi kohdella julmasti tai hellästi. Näin ollen meillä on suoria velvollisuuksia eläimiä kohtaan. Eläimet itse ovat moraalisten velvoitteidemme pääasiallisena kohteena, eivät ainoastaan niiden ihmisten vuoksi, joihin eläimiin kohdistuva toimintamme voisi vaikuttaa. Lopulta on kuitenkin niin, että koska ihmisillä on järkisielu, joka takaa heille ylemmyyden suhteessa muihin lajeihin, heillä on oikeus käyttää eläimiä eri tarkoitusperiin, kunhan he toimivat myötätuntoisesti.

Jos luokittelemme avicennalaista eläinetiikkaa Tom Reganin mukaan, sitä voidaan kutsua julmuus-hellyys-kannaksi.

Väitöskirjan kolmas luku rekonstruoi Mullā Ṣadrān eläinetiikan tutkimalla, millainen eläimet huomioon ottava moraalinen kanta hänen ontologiastaan, epistemologiastaan, psykologiastaan ja eskatologiastaan seuraa. Ṣadrān ontologian tarkastelu osoittaa, että hänen filosofiansa keskeisen opinkappaleen eli olemisen perustavuuden nojalla kaikki olennot ovat perustaltaan osia yhdestä ja samasta olemisesta. Ṣadrān teoria sallii myös muutoksen ja aste-erot substanssin kategoriassa, minkä nojalla kaikki olennot ovat olemisessaan asteittaisen muutoksen ja tulemisen tilassa, jonka kautta ne voivat kehittyä kohti korkeampia olemisen tasoja. Tässä teoreettisessa viitekehyksessä biologiset lajit tai olemukset ovat pohjimmiltaan yhden ja saman olemisen määrittyneisyyttä tiettyinä ajan hetkinä, ja ne ilmenevät eri tavoin, minkä nojalla pidämme niitä olemuksina tai lajeina. Toisin kuin Ibn Sīnān metafysiikka, Ṣadrān teoria tarjoaa välineet integroidumpaan tapaan tarkastella lajien välisiä suhteita vaiheina yhdellä ja samalla jatkumolla. Hänen filosofiansa pääasialliset opinkappaleet luovat perustan prosessifilosofiselle käsitykselle todellisuudesta. Pysyvien ja diskreettien olemusten sijaan Ṣadrā tarkastelee lajeja integroituna olemisena. Tästä seuraava mahdollisuus, että lajit voivat muuttua toisiksi, toimii perustana välissä olevien lajien käsitteelle, josta Ṣadrā pyrkii tekemään selkoa. Toki hänen käsitteensä on filosofinen eikä empiiriseen biologiaan perustuva.

Ṣadralaisessa epistemologiassa havainto – olipa kyse aistihavainnosta, kuvittelusta tai ymmärryksestä – on sielun ominta toimintaa, joka on aineetonta, joskin eriasteisesti. Näin on siksi, että Ṣadrālle havainto ja oleminen ovat vaihtoehtoisia termejä yhdelle ja samalle käsitteelle. Tässä viitekehyksessä ei-inhimillisten eläinten voidaan yhdessä inhimillisten kanssa ajatella olevan osallisia kuolemanjälkeiseen elämään, johon heillä on oikeus hyvityksenä kaikista maallisessa elämisessä kokemistaan kärsimyksistä.

Psykologisesta näkökulmasta eläinsielun tulee olla aineeton, koska se on aistiva sielu ja aistimus itsessään on aineetonta, kuten Ṣadrā leijuvan eläimen ajatuskokeellaan pyrkii osoittamaan. Tämä kuvittelukykyyn perustuva aineettomuus on kuitenkin toisenlaista kuin ymmärryksen aineettomuus, joka on rajattu vain pienelle joukolle ihmisiä, sillä siihen kuuluu eräitä aineen piirteitä, joskin abstraktimmassa muodossa. Kuvittelukykyyn perustuva aineettomuus on yhteistä ihmisten enemmistölle ja kaikille kuvittelukyvyn omaaville eläimille, mikä tekee perustelluksi eläinten ylösnousemuksen kaltaiset käsitteet sekä motivoi muihin lajeihin liittyvän teodikean. Lisäksi Ṣadrā ajattelee arviointikyvyn liittyvän siihen, mitä hän kutsuu langenneeksi ymmärrykseksi. Kaikki nämä piirteet tarjoavat hänelle viitekehyksen, jossa ihmisten ja muiden lajien välistä suhdetta voidaan pitää tiiviimpänä ja lajien välisiä eroja aste-eroja perustavampien olemusten välisten erojen sijaan.

Tutkimus osoittaa, että ṣadralaiseen tapaan ajatella eläinten moraalista asemaa kuuluu huolietiikan keskeisiä piirteitä. Tämä näkyy erityisesti ihmisten suhteessa eläimiin aistivina olentoina ja yleisemmin suhteessa koko maailmankaikkeuteen puhtaan olemisen eli Jumalan ilmenemismuotona. Tämän näkökannan

mukaan aivan kuten Jumalalla on korkeinta myötätuntoa olemisen matalampia tasoja kohtaan, täydellisten ja Jumalan kaltaisten ihmisten tulee jäljitellä Jumalaa osoittamalla myötätuntoa koko maailmankaikkeutta kohtaan, eläimet mukaan lukien.

Metaforisesti ilmaistuna Ṣadrān näkemys siis asettaa ihmisen olemisen vartijaksi. Tällä vartijan roolilla voi olla erilaisia seurauksia ihmisen suhteelle eläimiin riippuen siitä, omaksummeko minimaalisen vai maksimaalisen tulkinnan Ṣadrān keskeisestä ajatuksesta. Minimaalisen tulkinnan mukaan voimme yhä käyttää eläimiä erilaisiin tarkoitusperiin, jopa tappaa ja syödä heitä, kunhan kiinnitämme huomiota niiden tarpeisiin ja hyvinvointiin. Maksimaalisen tulkinnan mukaan taas tällaiselle käytölle tulee asettaa huomattavasti tiukemmat reunaehdot, joiden vallitessa tappaminen ei ole sallittua. Ṣadralaisen eläinetiikan ja Nussbaumin kykyihin perustuvan lähestymistavan välillä on merkittäviä samankaltaisuuksia.

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