

Qaed Harithi in Yemen, Haitham Yemeni and Abu Hamza Rabia in Pakistan, and "a tall man in flowing robes" on the Pakistan-Afghanistan border who was wrongly thought to be Osama bin Laden. The Rabia killing included his seventeen-year-old son and the eight-year-old nephew of his landlord; the number of civilian deaths in the other targeted killings is not known.

19. Here Harder appears to have conflated the listing of assassination, rewards, and wanted announcements with the listing of red cross and white flag. It is indeed true to say that in war it is legal to shoot a gun at one's opponent but is treacherous to hold a white flag and shoot a gun at an opponent. But Harder concludes, using the foregoing as a template, that it must be legal to assassinate but treacherous to assassinate while holding a white flag (or otherwise enlisting the enemy's confidence). Were this an appropriate template, there would not be a need even to introduce the category of assassination, since the prohibition on assassinating while holding a white flag is already covered by the prohibition on the misuse of the white flag.

20. Though I have suggested two grounds that show the incoherence of requiring a violation of confidence to make assassination illegal, this idea has some plausible precedents that Schmitt offers in his richly detailed historical overview.

21. As Schmitt notes, a 1975 congressional investigation of attempted assassinations by the CIA records numerous attempts that certainly involved betrayal of confidence. For example, the air force handbook's Section 6.6(d) says that one must not injure enemy soldiers (or, needless to say, civilians) by using objects that enlist confidence — its example is putting an explosive in a fountain pen. The CIA attempted to kill Fidel Castro in the early 1960s by putting a lethal toxin in a cigar, placing an explosive device in a rare seashell deep under water (Castro was known to be an expert diver and lover of beautiful shells), and arming a fountain pen with a hypodermic needle so fine that he would not notice the injection.

22. The defense expert William Arkin, interviewed for a February 2004 Discovery Channel documentary on Osama bin Laden, said that offers of rewards are addressed to "close friends and associates."

23. Though interrogators are permitted to wear false military uniforms, they are explicitly prohibited from wearing false Red Cross uniforms: the two forms of false signs that were coupled in Article 23(f) of the Hague Conventions and the perfidious and treachery sections of the air force, army, and navy handbooks have therefore, in this new field manual, been decoupled from each other.

24. Section 6.5 of the air force handbook continues with a set of cautionary sentences: "The weapons have been the subject of intense international political interest and international regulation because of their potential for mass destruction, the historical fact of their recent development by only a very few powers with the ability to control their development and deployment, and international concern about possible proliferation." The section then lists the international treaties we have signed that may bear on the question of their use.

ROGER SCRUTON

A Carnivore's Credo

FROM HARPER'S MAGAZINE

THE TREATMENT OF ANIMALS, like much else that was once the prerogative of religion, has become a matter of ordinary morality, with no shortage of sermons directed at hunters, fur wearers, and carnivores by puritans who cannot abide the sight of sinful pleasure. Eating animals has become a test case for moral theory in Western societies. In confronting opponents of meat eating, we find ourselves exploring the grounds of moral judgments and the nature of the beings who make them.

The moral life, I believe, rests on three pillars: value, virtue, and duty. Some hold that all the weight can be made to rest on only one of them: value, according to utilitarians; duty, according to their deontological opponents. Whether or not any such reductions can be successfully carried out, we cannot give a coherent account of the moral life without doing justice to all the conceptions that support it — to value, virtue, and duty — and showing their place, for human beings, in the good life.

I have a strong urge to place at the very center of the subject, especially since the subject is our relation to the natural world, another aspect of human nature, often left out by the standard treatments of ethics: namely, piety. By this I mean a disposition to acknowledge our weak and dependent state and to face the surrounding world with due reverence and humility. It is the residue of religion in us all, whether or not we wish to admit it. It is the attitude that many people — environmentalists, conservationists, and animal welfare activists included — are attempting to recapture in a world where the results of human presumption are so depressingly apparent.

Unlike other animals, we are self-conscious. We do not live, as they do, only in the "world of perception," to use Schopenhauer's phrase. Our thoughts and feelings range over the actual and the possible, the probable and the necessary, what will be and what ought to be. Upon these basic facts — traditionally summarized by saying we are rational animals — other and more remarkable facts depend. We have moral, aesthetic, and religious experiences; we pray to things visible and invisible; we laugh, sing, and grieve; are indignant, approving, and dismayed. And we relate to one another in a special way. Human beings are actual or potential members of a moral community, regulated by concepts of right and duty, in which each member enjoys sovereignty over his own affairs, so long as he accords an equal sovereignty to others. With all this comes an immense burden of guilt. Morality and self-consciousness set us in judgment over ourselves, so that we see our actions constantly from outside, judged by ourselves as we are by others. We become cut off from our instincts, and even the spontaneous joy of fellowship is diminished by the screen of judgment through which it first must pass.

Animals rescue us from this predicament. Their mute lack of self-consciousness neutralizes our own possession of it and makes it possible to pour out on them the pent-up store of fellow feeling, without fear of reproach. At the same time, we are acutely aware of their moral incompetence. Their affection, if it can be won at all, is easily won, and based on nothing. However much a man may be loved by his dog, this love brings warmth and security but no release from guilt. It implies no moral approval and leaves the character of its object unassessed and unendorsed. For that very reason, a dog is a far easier companion than a person, and the temptation arises to believe that all animals are really like our pets, with the same moral claims and the same need for consideration that characterizes the animals on whom we depend for companionship. That which distinguishes us from animals — our predicament as self-conscious and judging creatures — leads us constantly to discount the difference, to act as though it were a marginal consideration on which nothing hangs when it comes to the real ethical questions.

But the difference comes immediately to life when we consider

the question of eating. Whether or not we think eating people is wrong, we do not think it is on a par with eating other animals. We recoil from the idea that human beings might be on the daily menu along with cabbage, chicken, squirrel, and lentils. This brings to the fore the distinction between our attitude toward the human body, even when dead, and our attitude toward the bodies of other animals. Although elephants and dolphins engage in behavior that shows a partial resemblance to our feelings in the presence of the dead, the emotions with which we approach a corpse are emotions that only a self-conscious being can experience and must be characterized in terms such as "awe," "reverence," and "anxiety." They belong to the philosophically neglected realm of the psyche I have called piety. The corpse is not to be carelessly touched, not to be defiled, not to be abused. Its former occupant surrounds it like an aura, demanding to be mourned.

All this you will find beautifully evoked in the scene between Achilles and Priam in the *Iliad*, when the old king comes to beg for Hector's desecrated body. Not all cultures treat this predicament as the Homeric Greeks did, but in all cultures some form of piety is called forth by the human corpse. This is not some arbitrary or dispensable feature of our condition; it is a nonrational consequence of being rational. We can imagine a perfectly good functional justification for these feelings, but it would disappear if we thought of them in purely functional terms. Piety exists only so long as we don't ask the reason why: that, indeed, is its essence — a sense of duty that does not question what it receives as commands.

So far as I know, people do not eat their pets, even when the pets belong to species that are commonly eaten. Pets are honorary members of the human community and enjoy some imagined version of the nimbus that surrounds the human body — the nimbus Michelangelo presented in his versions of the Pietà. People bury their dogs and cats, often erecting tombstones over their bodies. And even when this seems absurd, some kind of piety is bestowed on an animal whose companionship has been enjoyed when it is a companion no longer.

Pious feelings survive also in the religious prohibitions that attach to the eating of meat. If God takes an interest in what we eat, it can only be because eating and ingesting are acts not only of the body but also of the soul. Yet dietary codes do not prohibit us from

defiling the corpses of other animals. They instruct us not to defile ourselves by eating what is forbidden. This is further confirmation of the dramatic way in which animals and people are distinguished in our feelings.

The fact that eating, for us, is not what it is for other animals is related to the fact that we are moral beings. Eating has in every traditional society been regarded as a social, often religious, act, embellished by ritual and enjoyed as a primary celebration of membership. Rational beings are nourished on conversation, taste, manners, and hospitality, and to divorce food from these practices is to deprive it of its true significance. Rational beings rejoice less in filling themselves than in the sight of food, table, and guests dressed for a ceremonial offering. Their meals are also sacrifices; some anthropologists have argued that the origin of our carnivorous ways lies in the burnt offerings of ancient ritual. At any rate, the giving of food is the core of hospitality.

In the fast-food culture, on the other hand, food is not given but taken. The solitary stuffing of burgers, pizzas, and "TV dinners"; the disappearance of family meals and domestic cooking; the loss of table manners — all these tend to obscure the distinction between eating and feeding. For many people, vegetarianism is a roundabout way of restoring that distinction. Vegetables are gifts of the earth: by eating them we reestablish contact with our roots. They offer a way of reincorporating food into the moral life, hedging it in with moral scruples and revitalizing the precious sense of shame. Meat eating cannot be vindicated without confronting the deep feelings that prompt our dietary habits. The onus lies on the carnivore to show that there is a way of incorporating meat into a life that does not shame the human race, as it is shamed by the solitary "caveman" gluttony of the burger stuffer.

I have hinted that there might be a distinction between virtuous and vicious eating. Virtuous eating involves behavior that is considerate of others and that permits and facilitates the easy continuation of dialogue. Good manners prevent that sudden and disturbing eclipse of the person by the animal, as the fangs sink themselves into the mess on the plate.

It is also a part of virtue to consider what benefits and harms are promoted by your actions — not, I hasten to add, in the manner of

the utilitarian, seeking a comprehensive balance sheet of pleasure and pain, but in the manner of the humane person, who wishes to promote kindness and to oppose cruelty — in other words, to promote virtue over vice. The virtue of kindness cannot be understood without also invoking ideas of responsibility, duty, and right. Kindness means treating with gentleness and consideration all those with whom you have dealings, while also fulfilling your obligations toward them. To speak of it brings us to the fundamental question of deontology: What are our obligations, and do they permit us to eat animals?

Animals bred or kept for our uses are not honorary members of the moral community, as pets are. Nevertheless the use we make of them imposes a reciprocal duty to look after them, which spreads forward from the farmer to the slaughterer and from the slaughterer to the consumer, all of whom benefit from these animals and must therefore assume some part of the duty of care. To criticize battery pig farming as violating a duty of care is surely right and proper. But consider the traditional beef farmer, who fattens his calves for thirty months, keeping them on open pasture in the summer and in warm roomy barns in the winter, feeding them on grass, silage, beans, and maize, attending to their ailments, and sending them for slaughter, when the time comes, to the nearby slaughterhouse, where they are instantly dispatched by a humane killer. Such a farmer treats his cattle as well as cattle can be treated, and such animals are as happy as their nature allows. Anybody who cares for animals ought to see this kind of husbandry as a complex moral good, to be defended, on the one hand, against those who would forbid the eating of meat altogether and, on the other hand, against those carnivores who prefer the unseen suffering of the battery farm and the factory abattoir.

The relation between man and animal may not always be as harmonious as it appears in children's books devoted to life on the farm, but it is only one feature of the total ecology of the countryside. Traditional livestock farming involves the maintenance of pastureland, properly enclosed with walls or hedges. Wildlife habitats spring up as the near automatic byproducts of the boundaries and shady places required by cattle. This kind of farming has shaped the English landscape, ensuring it retains its dual character as producer of human food and a complex wildlife habitat with a

beauty inextricably connected to its multifarious life. In this way, what is, from the point of view of agribusiness, a wasteful use of land becomes, from the point of view of the rest of us, one of the kindest uses of land yet devised. The animal brought to the table will have enjoyed the protection of the one who nurtured him, and his death will be like the ritual sacrifices described in the Bible and Homeric literature — a *singing out* of a victim for an important office to which a kind of honor is attached.

The real force of the vegetarian argument stems, I believe, from a revulsion at the vicious carnivore: the meat eater as he has evolved in the solipsistic fast-food culture, with the removal of food from its central place in domestic life and the winning of friends. From Homer to Zola, meat has been seen as the primordial gift to the stranger, the eruption into the world of human conflict of the divine spirit of peace. Reduce meat to an object of solitary greed like chocolate and the question naturally arises: Why should *life* be sacrificed just for this?

The question presents a challenge. It is asking the burger stuffer to *come clean*: to show why it is that his greed should be indulged in this way, why he can presume to kill again and again for the sake of a solitary pleasure that neither creates nor sustains any moral ties. To such a question it is always possible to respond with a shrug of the shoulders. But it is a real question, one of many that people now ask, as the old forms of piety dwindle. Piety is the remedy for religious guilt, and to this emotion we are all witting or unwitting heirs. And I suspect people become vegetarians for precisely that reason: by doing so they overcome the residue of guilt that attaches to every form of hubris, and in particular to the hubris of human freedom.

There is, however, a remedy more in keeping with the Judeo-Christian tradition. We should not abandon our meat-eating habits but *remoralize* them, by reincorporating them into affectionate human relations and using them as instruments of hospitality, conviviality, and peace. That was the remedy practiced by our parents, with their traditional "Sunday roast" coming always at midday, after they had given thanks. Those brought up on fast food are not used to making sacrifices: mealtimes, manners, dinner-table conversation, and the art of cookery itself have all but disappeared from their worldview. But all those things form part of a complex hu-

man good, and I cannot help thinking that, when added to the ecological benefits of small-scale livestock farming, they secure for us an honorable place in the scheme of things, and neutralize more effectively than the vegetarian alternative our inherited burden of guilt.

I would suggest that it is not only permissible for those who care about animals to eat meat; they have a duty to do so. If meat eating should ever become confined to those who do not care about animal suffering, then compassionate farming would cease. Where there are conscientious carnivores, there is a motive to raise animals kindly. Moreover, conscientious carnivores show their depraved contemporaries that there is a right and a wrong way to eat. Duty requires us, therefore, to eat our friends.