

Zoopolis, Intervention, and the State of Nature*

OSCAR HORTA

Universidad de Santiago de Compostela

Abstract

In *Zoopolis*, Donaldson and Kymlicka argue that intervention in nature to aid animals is sometimes permissible, and in some cases obligatory, to save them from the harms they commonly face. But they claim these interventions must have some limits, since they could otherwise disrupt the structure of the communities wild animals form, which should be respected as sovereign ones. These claims are based on the widespread assumption that ecosystemic processes ensure that animals have good lives in nature. However, this assumption is, unfortunately, totally unrealistic. Most animals are *r*-strategists who die in pain shortly after coming into existence, and those who make it to maturity commonly suffer terrible harms too. In addition, most animals do not form the political communities *Zoopolis* describes. The situation of animals in the wild can therefore be considered analogous to one of humanitarian catastrophe, or to that of irretrievably failed states. It matches closely what a Hobbesian state of nature would be like. This means that intervention in nature to aid nonhuman animals should not be limited as Donaldson and Kymlicka argue.

Keywords: animal ethics, animal rights, intervention, sovereignty, speciesism, state of nature.

1. INTRODUCTION

Zoopolis: A Political Theory of Animal Rights is a novel, brilliantly argued and very instructive book. It addresses some of the most important topics in animal ethics in a fresh and original way, and opens new lines of inquiry. This paper focuses on what I consider the most significant problem *Zoopolis* tack-

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les: whether and to what extent we should aid animals living in the wild. This controversial problem has received some recent attention (Sapontzis 1984; Ng 1995; Bonnardel 1996; Kirkwood and Sinsbury 1996; Bovenkerk *et al.* 2003; Clement 2003; Cowen 2003; Fink 2005; Clarke and Ng 2006; Nussbaum 2006: ch. 6; Dawrst 2009; Simmons 2009; Horta 2010a; McMahan 2010a, 2010b; Palmer 2010; Cunha 2011; Torres Aldave 2011) but remains relatively neglected. In fact, some may be surprised by my choice of focus here, but no other human practice affects a larger number of individuals than our decision regarding what we owe to animals in nature.

Zoopolis claims that nonhuman animals living in the wild should be recognized as forming sovereign communities of their own, analogous to human sovereign political communities, which should be respected.¹ Accordingly, like in the case of aiding other human societies, aiding animals in nature is sometimes permissible, and sometimes obligatory. But *Zoopolis* claims intervention must not disrupt the very structure of the assisted communities, and should not be rejected by the animals involved. Also, the aim of such assistance should be to bring the animal community back to a state in which it may self-regulate without external help. In practice, this means supporting many forms of intervention in nature to help animals, but it rules out some forms of substantial intervention. So, for instance, whilst Donaldson and Kymlicka would support vaccinating an animal population to save its members from a lethal epidemic, they would oppose altering trophic chains to avoid mass starvation, even if this could be done harmlessly (*e. g.*, by supplying both food and contraceptives so that the additional food does not result in future starvation).

Many will find that *Zoopolis* overestimates our duties towards animals in the wild. In fact, most assume that we have no reason to aid them because (a) we have no such moral obligations or (b) such animals do not really need our help. I agree with *Zoopolis'* refutation of (a) (see ch. 2, especially 24, 29, 35), but with regards to (b) I will argue that animals in nature are in a far worse situation that *Zoopolis* assumes. Therefore, I will advocate more extensive intervention.

Zoopolis claims that nonhuman animals living in the wild should be treated as members of sovereign communities. The authors write:

What sort of competence is needed for sovereignty? We would argue that for wild animals—as indeed for humans—what matters for sovereignty

1. It is mainly external sovereignty that Donaldson and Kymlicka seem to have in mind here. They do not claim that nonhuman animals are aware of themselves as sovereign communities, or that individual animals must obey their communities' legitimate institutions (171-174). Instead, they claim that they constitute communities and that "our obligations to them are those of international justice, including respect for their territory and autonomy" (15).

is the ability to respond to the challenges that a community faces, and to provide a social context in which its individual members can grow and flourish (175).

These two conditions are not specified in detail. The authors do not, for example, indicate the extent to which the relevant challenges must be successfully met by animals in nature or what kinds of social context animal communities have to form. The first half of this paper discusses the first condition, the second the latter condition.

2. WHY ANIMALS CAN SELDOM RESPOND TO THE CHALLENGES THEY FACE IN NATURE

The best way to examine whether animals can respond to the challenges nature poses to them is to see whether they can survive them. Population dynamics studies this. The equations used in this field to calculate how animal populations fluctuate consider basically two factors: “ r ”, which denotes the population’s reproductive rate, and “ K ”, which denotes an environment’s “carrying capacity” and so determines the survival rate of the animals in those populations (Verhulst 1838; MacArthur and Wilson 1967; Pianka 1970)—. As a result, there are two main reproductive strategies in nature, as Donaldson and Kymlicka recognize (176-177). Some animals have very few descendants and invest a great deal in each offspring, whilst others invest little or nothing in the survival of their offspring, but have huge progenies. Now, animals of the first type, the K -strategists, are a tiny minority. The majority of animals (including invertebrates—which are the most numerous—, fishes, amphibians, reptiles...) are r -strategists. Moreover, even those who look after their descendants often have very large numbers of eggs or offspring, which will be wasted. For, if a population remains stable, only one descendent per parent can survive on average. This means that the overwhelming majority of those animals that come to existence never make it to maturity. They starve to death, are killed by other animals or die in other ways. Because their lives are short and challenging, they experience almost no enjoyment. They do, however, experience a great deal of suffering, since starving or being eaten alive is normally very painful for sentient creatures. The lives of sentient animals thus typically contain much more suffering than wellbeing.

It is worth noting, moreover, that whilst some r -strategists lay hundreds of eggs, others, such as many fishes, lay millions of them. So, for each individual that survives, the number of individuals that come into existence only to suffer and die is enormous (Sagoff 1984; Ng 1995). In addition, adult animals do not live in paradise either. They also suffer greatly and endure

painful deaths due to predation, parasitism, disease, injuries, harsh weather conditions, hunger, malnutrition, thirst, fear and other causes (Darwin 2007 [1860]; Dawkins 1995; Dawrst 2009). Due to all this, suffering and early death vastly prevail over happiness in nature. The lives of animals in the state of nature are like Hobbes imagined the lives of humans without states: “Poor, nasty, brutish and short”, usually in “continual fear and danger of violent death” (1981 [1651]: ch. 13).

When people think about animals in the wild, however, they tend to think of adult, healthy mammals rather than of all the millions of individuals from different species who die soon after coming into existence. The resulting, unrealistically rosy picture of what most wild lives are like can taint our judgement regarding intervention. This is a problem, I think, with the theory presented in *Zoopolis*. Donaldson and Kymlicka point out that “[a]nimals have evolved to survive under these conditions, and are competent to do so” (182). They also write that “[w]ild animals are competent both as individuals and as communities” (175). And they claim that although individual animals suffer and die, such suffering and death is not catastrophic, because the communities go on existing (176, 182).

We may say that animal populations are “competent” in the sense that animal populations and species often manage to persist through time (though extinctions also take place). This claim, however, cannot be correct when we consider what ultimately matters, namely individual animals. As we have seen, only a tiny minority are able to survive the massive challenges that life in nature poses for them. The overwhelming majority fails and dies. Therefore, they cannot be claimed to be competent in this respect. The opposite is true: they normally do very poorly and suffer and die in great numbers.

Zoopolis initially acknowledges that the suffering that animals experience in nature supports *some* interventions, and argues against the idea that helping animals impairs the flourishing of the aided species (see Everett 2001). The authors claim:

To invoke the flourishing argument against all such interventions runs dangerously close to sanctifying natural processes as inherently morally good or benign. The fact that a deer’s nature has been shaped by processes of predation does not mean that the deer finds fulfillment in being eaten alive (165).

This suggests that opposing significant intervention in support of animals in need of aid cannot be good for animals living in the wild. The next section offers further reasons for this by assessing some of *Zoopolis*’s arguments against significant intervention.

2.1. Sovereignty: intrinsically or instrumentally valuable?

Donaldson and Kymlicka claim that intervention in nature is acceptable provided that it does not curtail the sovereignty of groups of animals. Explaining why that sort of interference would be bad for them, the authors compare interfering with animal sovereignty with violations of human sovereign communities, such as the Nazi invasion of Poland, or the interventions aimed at creating new markets or controlling resources at the expense of the members of the relevant communities (181). Such interventions, however, are objectionable for reasons other than their failure to respect sovereignty: their purpose is to benefit those who intervene at the expense of the subjects of the intervention. Therefore, they are entirely unlike altruistic and beneficial humanitarian interventions. So they give us no reasons to oppose interventions in cases where being left to one's own devices is disastrous for the unassisted community.

We may think that significant intervention would be necessarily harmful for nonhuman animals because the very fact that they cannot rule their own destiny is intrinsically bad for them. However, Donaldson and Kymlicka argue against the view that ruling one's own destiny is intrinsically valuable when they consider domestic animals. They present several strong arguments that show that there is nothing inherently bad about domestic animals' lack of autonomy and depending on others (83).² We may think that unlike domestic animals, animals in the wild have certain features which make the possibility to rule their own lives valuable. Donaldson and Kymlicka, however, do not claim that domestic animals lack the features that would make being able to rule one's own life valuable: they argue that the life as a being who does not rule her or his own life can be just as fine as the life of a being that does so.³ *Zoopolis* explains that depending on others can be instrumentally bad but denies it is intrinsically bad. It sees nothing wrong with aiding domestic animals so that they can live good lives. If this is so, however, there should not be anything wrong with aiding animals in nature so they can live good lives too.⁴ If sovereignty is valuable only instrumentally, not intrinsically, then it is not valuable when only intervention can save most individuals from suffering and death.

2. *Zoopolis* argues against exploiting domestic animals and explains how domestication can harm animals (82), but once domestic animals exist, *Zoopolis* sees nothing wrong with domestic animals living dependent but happy, not exploited, lives.

3. Due to this, *Zoopolis*'s arguments not to value autonomy intrinsically apply equally to humans and nonhuman animals.

4. *Zoopolis* rejects massive intervention to help wild animals on the grounds that it will turn the world into a giant zoo. This is inaccurate, however, as zoos are profit making exploitative ventures where animals suffer. Instead, massive intervention would mean caring positively for animals, as in sanctuaries. And *Zoopolis* claims that domestic animals may live wonderful lives in animal sanctuaries.

2.2. Autonomy, flourishing, risk avoidance and preference frustration

What, then, is the reason for granting animals sovereignty? *Zoopolis* (especially ch. 6) appears to assume that this would allow these animals to live autonomous and flourishing lives. This seems very intuitive. Autonomy, however, can be limited not only by humans but also by other animals and their environment. Since remaining alive is a condition to enjoy autonomy, animals that die shortly after birth lack autonomy. Much the same applies to flourishing, which is assumed to require being able to exercise one's physical and mental potential in good health (Nussbaum 2006: esp. 346-352) — something impossible if one does not live long enough. One cannot, thus, invoke autonomy and flourishing to oppose intervention in aid of animals in the wild.

Zoopolis claims that saving animals in nature from living dangerously would deprive them of the challenges that make their lives worth living (242). It argues in favor of this by saying, as an example, that sparing children all risks impoverishes their lives. The problem with this argument is that we would reach very different conclusions were the chances of surviving the risks much smaller than they tend to be with human children. For example, we would remove children from waters filled with crocodiles even if swimming amidst crocodiles was really thrilling for them. As we have seen above, this is the situation which most nonhuman animals face in the real world. Another argument *Zoopolis* considers is that intervention is objectionable if it frustrates the preferences of animals (see 177) or if the animals do not consent to it. But what if the actually resisted interventions would have been accepted if the animals knew they were going to be good for them? Rescuing a stray dog or a trapped animal may be a hard job due to the resistance of the animal but most of us would claim that it is good for the animal. Defenders of desire-based conceptions of value can accept this too, since, given more information or a sharper understanding, the animal would have also preferred to be aided. The animal wants the rescuers to go away because of fear of harm or death, rather than a desire to escape unaided. Thus, respecting a desire to live can sometimes involve intervention. But then there is no plausible account of informed preferences that allows local intervention (such as feeding a single starving animal) whilst disallowing more extensive interventions (such as feeding a whole population).⁵

5. Support for substantial intervention will also follow from an account of value based on mental states, according to which the only source of value (or disvalue) would be positive and negative experiences. On this view any intervention that increases the wellbeing of animals in the wild without causing greater harm will make things better for them.

2.3. Intervention in situations of catastrophe

Having rejected four arguments against intervention (appealing to autonomy, flourishing, excessive risk avoidance, and preference satisfaction) let us turn to *Zoopolis's* conditions for permissible intervention. The intervention must prevent a catastrophe, leave animals in a situation such that they are henceforth able to exercise their sovereignty, and keep food cycles unaltered (182). These three stipulations, however, may not be met if the intervention is to succeed. Let us see why.

Given the abovementioned facts of population dynamics, animals in nature are in a permanent state of humanitarian catastrophe. If we follow *Zoopolis* in employing political categories to illuminate animal ethics, then most animals in the wild are living in *irretrievably failed states* incapable of ever being transformed into sovereign communities that respect their members' interests. There is just no previous non-catastrophic state that might be desirable to restore. To avoid catastrophe, we need to bring about a completely new scenario. Furthermore, limited intervention cannot solve this situation, since it is due to structural features of ecosystems. Kymlicka and Donaldson realize this when they note that ecosystemic processes involving food cycles are part of the "stable structure of self-regulation of wild animal communities" (182). Those stable processes are the ones that condemn most animals to short, dreadful lives. Like most other causes of disvalue in nature (predation, parasitism, malnutrition, disease...) *r*-selection results from the need to compete for scarce resources. This is also what determines that food cycles cause most animals to suffer and die shortly after coming into existence. There is no moral reason against altering food cycles, when food cycles are the cause of the suffering, and there is no reason to restore a previously existing situation, if it was disastrous for most and a new one is possible.

2.4. *K*-strategists

Zoopolis is most plausible in the case of some *K*-strategists, since their lives are not as bad as those of most *r*-strategists. However, first, *K*-strategists are extremely rare in comparison with *r*-strategists; second, many are not social animals that can form sovereign communities, and third, *K*-strategists have interests that conflict with those of other animals. Chimpanzees, for instance, sometimes hunt *r*-strategists, sometimes other social *K*-strategists (e. g. colobus monkeys) and sometimes wage war on each other. *K*- and *r*-strategists, moreover, share the same habitat, and we should not fail to assist *r*-strategists for the sake of the *K*-strategists' sovereignty. Fourth, even if

K-strategists do better than *r*-strategists, they still endure terrible hardships, with most dying before adulthood, and suffering predation, disease, parasitism, injuries, hunger, and other natural factors. So there may be ways in which we could improve their lives.

III. CAN ANIMALS FORM SOVEREIGN COMMUNITIES?

I have argued, *pace Zoopolis*, that animals do not successfully meet the challenges of living in the wild. I shall now argue that most of them do not constitute sovereign communities. To be sure, some animals form communities, and many live in shoals, swarms, or herds. These, however, may not be *political* communities. Political communities need some kind of political agency, even if by that we simply understand some form of decision making that takes place collectively or by some of the members who have the authority and/or the legitimacy to do so. One can be a mere member of a community, without being able to exercise citizenship in the sense of agency, but there has to be somebody who is an agent. If no one in a community exercises sovereignty, that is, if no one makes decisions regarding the life of the community, it is hard to see how such sovereignty can exist.

Now, some animal communities are structured societies with leaders that make decisions about political questions, such as where to migrate or when to fight or prefer flight. In these cases the second condition for sovereignty (that is, that animals form political communities in nature) is met, even if significant intervention to aid these animals is still justified for the abovementioned reasons. Some animals, however, both among *K*- and *r*-strategists, live in groups that make no political decisions. They cannot be meaningfully described as belonging to any communities. We could argue that their communities are the zoonoses or biotic communities ecologists describe. In ecology, however, 'community' refers to interacting biocenoses, that is, groups of living beings that interact with each other and with their environment. This is certainly not the meaning we give to this term when we speak of communities in social or political philosophy, or in common language. We can broadly define communities as groups of interacting individuals with some kind of cohesion, common aims and some form of collaboration or reciprocal support.⁶ So the question here is whether it makes sense to describe non-social animals as belonging to a community. Some species have mutualist relations with others that benefit all the involved parties. But most relations are either of *commensalism*, which benefits some but does not affect others, *amensalism*, with some unaffected and others

6. For some, there cannot be a political community without a sense of community but I shall not pursue this line here.

harmed, *antagonism*, with some benefiting by harming others (parasitism, predation...), or *competition*, which is bad for all the involved. These forms of interaction do not form a community any more than warring armies form one.⁷ Therefore, ecologists' biotic communities are not the communities political theorists talk about.

Some animals display parental behavior, but family relationships — with the possible exception of the eusocial animals such as ants, bees, Synalpheus shrimps and others — are not the type of relationships that constitute political communities of the type *Zoopolis* invokes, which are more like large nations than like small families. Most animals do not live in the communities Donaldson and Kymlicka have in mind. They live in a state of nature in all the senses of the term.

4. IS SIGNIFICANT INTERVENTION DOOMED TO FAIL?

In light of the previous sections, we should reject *Zoopolis's* claim that “the flourishing of individual wild animals cannot be separated from the flourishing of communities” (167). For most animals, the continuity of their community takes place at their expense, and many do not even live in communities. Considering the degree to which most animal lives are nasty, brutish and short, we should favor helping them with significant interventions.

Donaldson and Kymlicka maintain that such interventions cannot succeed (182, 288, n. 29). They also argue that if the only reason against intervention is practical such a reason would not justify non-intervention but rather research to achieve the required knowledge in the future. They write:

Perhaps we don't yet know how to do this, but if the only objection were fallibility, then we could at least be starting with small-scale pilot projects, in order to build up our knowledge about how to re-engineer nature so as to reduce suffering overall (164).

This argument seems right, and rebuts the other claims they make regarding the impossibility of success of substantial interventions to improve the lives of animals in nature. Furthermore, Donaldson and Kymlicka appear to be right here regarding the course of action we should currently pursue to best help animals suffering in the wild. Instead of intervening massively right now, the most effective agenda seems to be to invest our efforts in learning how to be able to do it successfully in the future, and carry out today only the practicable interventions *Zoopolis* supports, such as vaccinating animals

7. Violent interactions can be part of the life of a community but a community cannot consist only of them.

from diseases, feeding animals in cases of starvation, and rescuing them in cases of accident. These interventions can help to spread the idea that we should be concerned with the harms that animals suffer in nature.

This view appears counterintuitive but its alternatives are even less acceptable. The “hands off” approach, which is unacceptable for humans, should also be opposed if we reject speciesism⁸ or, at least, if we accept that the interests of nonhuman animals have non-trivial moral importance.

It is worth noting, moreover, that significant intervention to help animals in nature is not necessarily less feasible than the policy proposed by Kymlicka and Donaldson. They argue that the recognition of animal sovereignty would entail that humans should stop building on places that are now not occupied by them. But we can be certain that this is not going to happen. Humans will keep on building roads; villages and cities will grow, mining activities will expand, and so on. The idea that this expansion should stop altogether is no less ambitious than the view that we should intervene in nature significantly to reduce the harms suffered by animals. In fact, it is very unlikely that either of these two courses of action will be fully carried out in the near future at least. But both are nevertheless feasible, and can actually inform some of the policies we may implement.

Finally, we must acknowledge that we are already intervening in nature in massive ways, through agriculture, industry, fishing, building or mining. Therefore, the dispute is about who should be the beneficiaries of our intervention and why, rather than whether there could be large scale interventions at all.

5. THE QUESTION OF HABITAT PRESERVATION

Intervention to assist animals in nature may be opposed if we are concerned not with the interests of animals, but with ecological conservation (Sagoff 1984; Rolston III 1992). *Zoopolis* explicitly reject this. It distances itself from the “natural law” tradition or other causes other than the interest of animals (especially ch. 2, sec. 2 and 3), and its subtitle indicates it defends a theory of *animal rights* — not an environmentalist theory. Some of the arguments invoked in *Zoopolis*, however, resemble environmental arguments (*e. g.*, 289, n. 34). This is, I believe, due to the rosy picture of life in the wilderness that drives the authors’ opposition to intervention. This happens in the case of the idea that the reduction of wilderness harms animals (156, 160-161). It might be argued that wilderness destruction may harm animals if it involves

8. Speciesism is discrimination against those who do not belong to a certain species (Horta 2010b).

their death or reduces their wellbeing in any other way. But Donaldson and Kymlicka seem to think that habitat destruction is bad because it allows fewer animals to exist. But it is hard to see how this could be so. First, those that nevertheless come into existence cannot be harmed by the fact that they are not more numerous. It would have to be, then, the ones who never come into existence. But the claim that it is wrong or bad to fail to bring into existence potentially happy individuals is a very controversial idea in population ethics (Glover 1977: ch. 4; Parfit 1984: ch. 16; Singer 2011 [1979]: 87-90). Second, in any case, what appears to be uncontroversial is that we should not bring to existence beings with lives that are expectably bad for them. And we have seen that in nature this is what happens in the case of most animals. Hence, *Zoopolis's* assumption that the loss of habitats is bad for animals because it means that fewer animals live, although very popular and intuitive at first, is actually questionable and entails serious problems within population ethics.

6. CONCLUSION

Zoopolis presents a political theory that aims to give nonhuman animals the protection they need to be capable of having good lives. I wholeheartedly share this aim and applaud the authors' effort in developing such an original and thought-provoking theory. I also share their opposition to animal exploitation and their support for intervention in nature to aid nonhuman animals. Our views diverge when they claim that such intervention should be limited in certain ways. I have argued such a claim is scientifically under-informed, and defended substantial intervention in nature.

The assumptions that animals live valuable lives in nature and that we lack any reasons to assist them are widespread, and so many readers will regard my own view as counterintuitive. I hope, however, that Donaldson, Kymlicka, and others will eventually come to recognize it as sound. And I am optimistic that they might eventually do so since the most fundamental arguments I have presented rely on empirical considerations concerning animal population dynamics and community ecology.

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